

Time 4.00 pm **Public Meeting?** YES **Type of meeting** Executive

Venue Online

Membership

Chair Cllr Louise Miles (Lab)
Vice-chair Cllr Ian Brookfield (Lab)

Labour

Cllr Paula Brookfield
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Jasbir Jaspal
Cllr Linda Leach
Cllr John Reynolds
Cllr Stephen Simkins
Cllr Jacqueline Sweetman

Quorum for this meeting is two Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Dereck Francis, Democratic Services
Tel/Email 01902 555835 or dereck.francis@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

Item No. *Title*

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declarations of interest**
- 3 **Minutes of the previous meeting** (Pages 5 - 8)
[To approve the minutes of the previous meeting as a correct record.]
- 4 **Matters arising**
[To consider any matters arising from the minutes.]

DECISION ITEMS (AMBER - DELEGATED TO THE CABINET (RESOURCES) PANEL)

- 5 **Business Rates Discretionary Relief** (Pages 9 - 18)
[To seek approval for extensions to the Business Rates Discretionary Relief Policy from 1 April 2021 to include charitable and voluntary organisations]
- 6 **Nominations Agreement with Registered Housing Providers** (Pages 19 - 50)
[To approve a revised Nominations Agreement with Registered Housing Providers]
- 7 **Prescribed Alterations to Specialist Educational Provision** (Pages 51 - 78)
[To approve the permanent implementation of the proposed prescribed alterations]
- 8 **Adult Education Traineeship Budget** (Pages 79 - 82)
[To approve receipt of an Education and Skills Funding Agency Grant budget to deliver Traineeships]
- 9 **Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 91 Griffiths Drive, Wolverhampton, West Midlands. WV11 2JW**
(Pages 83 - 92)
[To approve the acquisition of the privately owned property by agreement or compulsory purchase]
- 10 **Schedule of Individual Executive Decision Notices** (Pages 93 - 102)
[To note the summary of open and exempt decision notices approved by cabinet members in consultation with employees]

- 11 **Exclusion of press and public**
[To pass the following resolution:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below.]

Part 2 - exempt items, closed to press and public

- | | | |
|----|---|---|
| 12 | <p>Procurement Award of Contracts for Works, Goods, and Services (Pages 103 - 132)</p> <p>[To approve the award of contracts for works, goods and services]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 13 | <p>49 & 51 School Lane, Bushbury - Structural condition and demolition. (Pages 133 - 140)</p> <p>[To approve the rehousing of the existing tenant of 49 School Lane and the demolition of 49 & 51 School Lane, Bushbury]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 14 | <p>Appropriation of Bond House to the Housing Revenue Account (Pages 141 - 146)</p> <p>[To approve the appropriation of Bond House from the General Fund to the Housing Revenue Account, for the provision of supported accommodation]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 15 | <p>New Park Village Redevelopment Programme - Private Owner Options (Pages 147 - 168)</p> <p>[To provide an update and approval to progress the redevelopment proposals for New Park Village Redevelopment Programme including private sector owner options]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel Minutes - 20 January 2021
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Attendance

Members of the Cabinet (Resources) Panel

Cllr Louise Miles (Chair)
Cllr Ian Brookfield (Vice-Chair)
Cllr Paula Brookfield
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Linda Leach
Cllr John Reynolds
Cllr Stephen Simkins
Cllr Jacqueline Sweetman

Employees

Tim Johnson	Chief Executive
Mark Taylor	Deputy Chief Executive
Emma Bennett	Director of Children's and Adult Services
Ross Cook	Director of City Environment
Charlotte Johns	Director of Strategy
Claire Nye	Director of Finance
Richard Lawrence	Director of Regeneration
Laura Phillips	Deputy Director of People and Change
Dereck Francis	Democratic Services Officer
Jaswinder Kaur	Democratic Services Manager

Part 1 – items open to the press and public

Item No. Title

- 1 **Apologies for absence**
Apologies for absence were submitted on behalf of Councillor Jasbir Jaspal.
- 2 **Declarations of interest**
No declarations of interests were made.
- 3 **Minutes of the previous meeting**
Resolved:
That the minutes of the previous meeting held on 16 December 2020 be approved as a correct record and signed by the Chair.

4 **Matters arising**

There were no matters arising from the minutes of the previous meeting.

5 **Art Gallery Improvement Scheme Works**

Councillor Stephen Simkins presented the report on a proposal to restart phase two of the Art Gallery Improvement Scheme project from June 2021 and to approve the associated funding arrangements for the project. Phase two had been halted in March 2020 due to national lockdown restrictions arising from the Coronavirus pandemic which prevented construction from commencing as planned. Following an options appraisal of the project, it was now proposed to continue with the full improvement scheme based on a restart from June 2021. He reported that the proposal would support a number of key objectives in the Council's Relighting Our City strategy.

Resolved:

1. That the restart of the Art Galley Improvement Scheme Project - Phase Two from June 2021 be approved.
2. That the acceptance of the grant funding of £159,758 from Arts Council England Cultural Capital Kickstart funding be approved and that the supplementary capital budget be created from this grant.
3. That a virement of £290,000 from the Corporate capital contingency budget to create the required capital project budget to complete the Art Galley Improvement Scheme Project - Phase Two, as detailed in the report be approved.
4. That it be noted that the additional cost required to restart the project would bring the total budget of the Art Galley Improvement Scheme Project - Phase Two to £1,526,000 and that this total includes £132,000 that was approved through an Individual Executive Decision Notice in February 2020. Total project costs for Phase one and Two are now £1,829,000.

6 **Leasing of Former Compton Youth Centre**

Councillor Jacqueline Sweetman presented the report on a proposal to lease the former Compton Youth Centre to Windmill Community Church. The property had been vacant for some time, was in a significant state of disrepair and would require investment to bring it back to an occupiable standard. The Council had been approached by the Church who expressed an interest in the property to transform it into a vibrant community hub and place of worship. The proposal had been positively received during a community consultation.

Resolved:

1. That the letting of the former Compton Youth Centre to Windmill Community Church on a 99-year peppercorn lease, subject to terms be approved.
2. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Deputy Chief Executive to approve the terms of the lease.

7 **Local Government Association (LGA) Behavioural Insights Programme**

The intention to make a key decision on the report 'Local Government Association (LGA) Behavioural Insights Programme' at the meeting was not publicised in advance as required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decision was urgent and could not be reasonably delayed for the following reason:

- An offer was made to City of Wolverhampton Council to apply for funding within a 48 hour timescale which did not coincide with forward plan milestones.

In light of the above, consent had been obtained for the key decision to be made at the meeting under the General Exception provisions.

Councillor Louise Miles presented the report on a proposal to accept grant funding from the LGA Behavioural Insights Programme to deliver a behavioural change intervention project to tackle inactivity amongst residents in Wolverhampton which had arisen during the Coronavirus pandemic. The programme would have positive benefits for the health and wellbeing of the city's citizens.

Resolved:

1. That the Council delivers a physical activity intervention in line with the Local Government Association's (LGA's) Behavioural Insights Programme using the awarded grant of £20,000.
2. That the creation of the necessary supplementary budget to deliver this project in line with the Council's Financial Procedure Rules be approved.
3. That it be noted that an external commissioned provider would be appointed to deliver of this project as per the Council's Contract Procedure Rules.

8 **Schedule of Individual Executive Decision Notices**

Resolved:

That the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees be noted.

9 **Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Part 2 - exempt items, closed to press and public

The Chair reported that as stated previously the meeting was in confidential session as the information included in the reports could, if released into the public domain, prejudice the financial position of the Council or its partners. As such all present are under a legal duty of confidentiality and must not disclose any confidential information - to do so would not only be a breach of the Council's codes (for councillors and employees) but also a breach of the legal duty of confidentiality.

10

Procurement Award of Contracts for Works, Goods, and Services

Councillor Louise Miles presented for approval the report on the award of contracts for works, goods and services. She drew to the Panel's attention the exemption to Contract Procedure Rules approved by the Head of Procurement and Director of Finance for the period 1 to 30 November 2020.

Resolved:

1. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Director of Public Health, to approve the award of a contract for Leisure Management Software when the evaluation process is complete.
2. That the award of a contract for Fixed Phone Lines to Virgin Media Business 500 Brook Drive, Reading, RG2 6UU for a duration of one year from 20 January 2021 to 19 January 2022 for a total contract value of £539,000 be approved.
3. That the exemptions to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 30 November 2020 as set out in Appendix 1 to the report be noted.

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Business Rates Discretionary Relief	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Louise Miles Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Claire Nye, Director of Finance	
Originating service	Revenues and Benefits	
Accountable employee	Tracey Richards	Head of Revenues and Benefits
	Tel	01902 552493
	Email	Tracey.Richards@wolverhampton.gov.uk
Report to be/has been considered by	Finance Leadership Team	20 January 2021

Recommendation for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the extension to the local Business Rates Discretionary Relief Policy in respect of charitable and voluntary organisations for one year from 1 April 2021.

1.0 Purpose

- 1.1 To seek approval to extend the Council's local scheme for business rates discretionary relief with effect from 1 April 2021.

2.0 Background

- 2.1 Discretionary rates relief is granted under Section 47 of the Local Government Act 1988.
- 2.2 The local scheme consists of different categories of relief based on Government guidance where appropriate.

3.0 Business Rates Discretionary relief – Charitable and Voluntary Organisations

- 3.1 The existing scheme relating to charitable and voluntary organisations is set out in appendix 1. The scheme was approved on 4 February 2020 and expires 31 March 2021.
- 3.2 This category of relief provides either up to 20% of liability for registered charities (to top up mandatory relief) or up to 100% of liability in the case of organisations that are not established or conducted for profit.
- 3.3 It is recommended that the scheme be extended, without amendment, for a further year.

4.0 Evaluation of alternative options

- 4.1 The Council could choose not to extend the scheme.
- 4.2 This option has been discounted because of the beneficial impact to local communities of the services provided. In addition, there could potentially be increased demand for Council services should these services be withdrawn.

5.0 Reasons for decision(s)

- 5.1 Extending the scheme for charitable and voluntary organisations continues to support a range of organisations providing support to vulnerable groups allowing the Council to foster good relations and enhance equal opportunities.

6.0 Financial implications

- 6.1 The City of Wolverhampton Council, as one of the constituent members of the West Midlands Combined Authority, has been participating in a business rates retention pilot from April 2017, on a no financial detriment basis. The continuation of the existing 100% business rates retention pilots into 2021-2022 was confirmed as part of the provisional Local Government Finance Settlement. As a result of entering this pilot, the Council retains 99% of business rates, no longer receives Revenue Support Grant and receives a Top Up Grant adjustment to account for the net effect of changes.

- 6.2 Under the 99% business rates retention scheme, the cost to the Council of awarding discretionary (charitable and voluntary organisations) relief in 2021-2022 will be in the region of £560,000.
[MH/03022021/R]

7.0 Legal implications

- 7.1 Section 47 of the Local Government Finance Act 1988 gives discretionary power to billing authorities to grant partial or full relief to certain categories of non-domestic ratepayer. The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow for this relief to be restricted to a fixed period.
[TS/21012021/Q]

8.0 Equalities implications

- 8.1 A full equality analysis was completed last year which indicated that the Council's approach allows it to foster good relation and advance equal opportunities. No changes are proposed to the scheme this year, only to extend for another financial year.

9.0 All other implications

- 9.1 There are no other implications arising from this report.

10.0 Schedule of background papers

- 10.1 Cabinet (Resources) Panel, 4 February 2020 - [Business Rates Discretionary Relief](#).

11.0 Appendices

- 11.1 Appendix 1 – Business Rates Discretionary Relief (Charitable and Voluntary Organisations) Policy.

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Appendix 1

City of Wolverhampton Council

**Business Rates Discretionary Relief
(Charitable and Voluntary Organisations) Policy**

Contents

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1. Introduction

- 1.1. This policy sets out circumstances in which reductions in rate liability will be granted to charitable and voluntary, not for profit organisations.

2. Purpose and principles of the policy

- 2.2. The purpose of this policy is to:

- a) Ensure that all considerations for awards are dealt with in a fair, consistent and equal manner
- b) Set a framework for how the council will make the award
- c) Make clear the limited criteria under which relief will be awarded.

3. Requirements for applications

- 3.1. Applications will only be considered where a written application is received from a person properly authorised to make an application on behalf of the organisation.
- 3.2. The Council will request any supporting evidence it considers necessary to properly assess the merits of the application.
- 3.3. The ratepayer must allow a council officer access to the property by appointment during normal working hours within two weeks of the Council receiving the application if it is necessary to verify the use of the property.

4. Eligibility for the scheme and decision making

- 4.1. The following criteria are considered when deciding applications for discretionary rate relief and each application will be treated on its merits. The criteria set out below are consistent with recommendations of the Department for Communities and Local Government and local authority associations.
- a) The organisation should ensure that membership is open to all sections of the community and membership rates/subscriptions should not be set at such a high level as to exclude the general community. The club should, if required, be able to demonstrate the criteria by which applications for membership are consistent with the principle of 'open membership' and in accordance with equal opportunities policies.

- b) Sympathetic consideration will be given to applications from groups who actively encourage membership from particularly disadvantaged groups in the community, e.g. young people or the disabled, elderly people and ethnic minorities.
- c) Sympathetic consideration will be given to organisations who make their facilities available to people other than members e.g. schools.
- d) Whether the organisation provide training for its members particularly the young.
- e) Have the facilities available been provided by self-help or grants from other bodies? Self-help organisations may be considered more sympathetically for discretionary relief.
- f) Does the organisation provide facilities which indirectly relieve the Council of the need to do so or do the facilities complement those provided by the Council?

5. Local criteria

5.1. The following local criteria have been adopted by the Council:

- a) Generally, no discretionary relief should be allowed to national charitable organisations - unless there are exceptional circumstances, *e.g. charitable animal welfare organisations providing local facilities.*
- b) Relief should not be given to sports or social clubs of industrial firms or other business organisations (assistance should be provided by the firm or organisation).
- c) Organisations who receive direct grant aid from the Council will receive maximum discretionary relief with a corresponding reduction in their grant, providing that this does not apply to schemes funded by the Government. However, in cases where the government funding regime assumes that local relief is being granted, this will be given providing that all other criteria is met. Relief will not be granted where government funding is available to meet the liability.
- d) Generally, the facility should be provided for the benefit of people living in the City.
- e) The Council has generally agreed not to allow any relief where in its opinion the body can support itself financially without the need for assistance from the Council in the form of discretionary rate relief.

6. Sports clubs

6.1. The following additional criteria apply specifically for sports clubs:

- a) More than 50% of the members should be active playing members.

- b) Generally, no relief should be allowed where a public admission fee is charged unless there are exceptional circumstances.
- c) Sympathetic consideration to be given to minority sports and where facilities are not provided by the Council.
- d) For those sports clubs that operate a bar, relief should not generally exceed 50% unless there are exceptional circumstances.
- e) Sympathetic consideration to be given to those organisations that are affiliated to local or national organisations with a view to developing their own interests and promoting Wolverhampton as a national or international venue.

7. Recalculation of reliefs

- 7.1. The amount of discretionary charitable relief will be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to the rateable value, or the organisation moves out.

8. Other reliefs

- 8.1. Discretionary charitable relief will be calculated after the application of other reliefs as specified by the legislation.

9. Duration of awards

- 9.1. Relief will be applied from 1 April 2020 for 2020-2021 and from 1 April 2021 for 2021-2022 financial years only.
- 9.2. A revised bill will be issued reflecting any relief granted.
- 9.3. If an organisation moves out of a property, the relief will be apportioned to the date of leaving.
- 9.4. Organisations are required to notify the Council immediately of any change in circumstances that may affect their entitlement to relief.

10. State aid

- 10.1. The State Aid rules regulate public sector intervention, with the aim of ensuring fair competition and the proper functioning of the single market.

10.2. Relief will not be awarded in any circumstances where it appears that an award will result in the ratepayer receiving state aid that is above the De Minimis level.

11. Review process

11.1. There is no statutory right of appeal against a decision made by the Council regarding discretionary rate relief. However, the Council recognises that ratepayers should be entitled to have a decision reviewed if they are dissatisfied with the outcome.

11.2. The Council will accept a written request for a review of its decision. The request should include the reasons for requesting a review and any supporting information.

11.3. A request for review must be made within one calendar month of the date of the decision letter.

11.4. Reviews will be considered by an officer independent of the original decision maker.

11.5. The applicant will be notified of the outcome of the review in writing.

11.6. This review process does not affect a ratepayer's legal right to seek leave to challenge a decision by way of a Judicial Review.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Nominations Agreement with Registered Housing Providers.	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jaqueline Sweetman City Assets and Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Ross Cook Director City Environment	
Originating service	City Housing	
Accountable employee	Michelle Garbett	Housing Policy Officer
	Tel	01902 552954
	Email	Michelle.garbett@wolverhampton.gov.uk
Report to be/has been considered by	City Environment Leadership Team	2 February 2021

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Agreement between the Council and Registered Providers of Social Housing for Nominations.
2. Delegate authority to the Cabinet Member City Assets and Housing, in consultation with the Director for City Environment to agree future revisions to the Nominations Agreement.

1.0 Purpose

- 1.1 The purpose of this report is to seek approval for the Council to adopt a revised Nominations Agreement with Registered Providers (RP) that provide social housing in the city.
- 1.2 This new Agreement has been developed following a review of the existing Agreement in consultation with RPs that operate within the city and will also apply to RPs planning to build or acquire social housing in Wolverhampton.
- 1.3 The revisions in this Agreement will bring it in line with approved changes to the Allocations Policy.

2.0 Background

- 2.1 Under Section 170 of the 1996 Housing Act, it is a requirement of RPs to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority under the Local Authority's housing allocation scheme. This is achieved through a Nominations Agreement between the Local Authority and individual RPs offering affordable housing to let in the city which sets out the proportion of their properties that become available to let that are made available to the Council for applicants on the citywide housing register.
- 2.2 The Statutory Code of Guidance for Housing Allocations 2012 states that Nominations Agreements should set out the proportion of lettings that will be made available; any criteria which the RP has adopted for accepting or rejecting nominees; and how any disputes will be resolved. It goes on to state that Housing Authorities will want to put in place arrangements to monitor effective delivery of the Nominations Agreement.
- 2.3 The Nominations Agreement was last updated in 2014, since which time the Council's Allocations Policy has undergone review and has been updated. The adopted Allocations Policy, which will be fully rolled out in July 2021, will operate as a closed register; only those with an identified housing need will be eligible to join. This will enable the Council to provide the people in the greatest housing need to have the best opportunity to access suitable housing, and also make the best use of its housing stock. The Nominations Agreement has been revised in line with the Allocations Policy and offers a more robust commitment to the monitoring of the arrangement to ensure the Council receives the nomination percentages as agreed in the new Agreement.

3.0 Nomination Agreement

- 3.1 There is in the region of four thousand general needs properties in the city that are owned or managed by RPs. These are a valued source of much needed affordable housing to communities. In addition to the Council's own stock, the RPs stock contributes to meeting housing need in the city.
- 3.2 The Council's Nominations Agreement formalises this arrangement by setting out the mechanism by which the Council will make nominations of people on its housing register

(Homes in the City) to RPs. It also provides the procedures to be used to make existing and arising void properties available for nominations to the Council.

- 3.3 RPs are required to provide 50% of voids to the Council for nomination of applicants from the Council's housing register. In addition, they are expected to offer 100% of any new build developed where grant funding has been utilised.
- 3.4 The new Agreement has been updated in light of changes made to the Council's Allocations Policy and to include changes in operational delivery that have occurred since the last time the Agreement was updated.
- 3.5 The review of the current arrangement found that more robust processes for monitoring the Agreement is required to enable the Housing Strategy Team to effectively monitor and report on nominations activity, ensuring that RPs are meeting the obligations set out in the Agreement.
- 3.6 The review has shown that there are difficulties when applicants who have a homelessness priority are made an offer of accommodation by a RP as it is difficult for the Council to formally discharge its homelessness duty in a timely manner. The new Agreement asks that RPs send out a standard council approved letter for the discharge of Homelessness.
- 3.7 The Council will need to sign a separate agreement with each of the RPs who have properties within the city. For the first twelve months, this agreement will be reviewed every three months with each Registered Provider to ensure it is working effectively and meeting its aims and objectives. Thereafter it will be reviewed, at least every two years.

4.0 Evaluation of alternative options

- 4.1 Option 1 - to continue with the current agreement which has not been updated to ensure it aligns with the Council's Allocations Policy and so does not provide a clear and consistent approach as to the Council's expectations including on arrangements for monitoring nominations. This could result in the Council not making best use of affordable homes that become available in the city for those in housing need.
- 4.2 Option 2 - to only update the parts of the Agreement where changes to process both in the Allocations Policy and within Wolverhampton Homes Lettings Team have occurred. Whilst this will bring the Agreement in line with both the Allocations Policy and any changes in processes it would not satisfy the need for more effective monitoring of properties offered for nomination by RPs or the need to ensure that those in the greatest housing need are not being overlooked in favour of those with a lesser presentation of housing need.
- 4.3 Option 3 - to adopt the revised Nominations Agreement as detailed in Appendix 1. This will ensure the Council is meeting its legislative requirements and is responding to the current operating environment as reflected by the revised Allocations Policy objectives, including making best use of the Council and RP homes and ensuring those in the

greatest housing need have the greatest opportunity for accessing suitable accommodation.

5.0 Reasons for decision

5.1 Option 3 will provide the Council with a Nominations Agreement that is fit for purpose, aligned to current policy and practice including an improved mechanism for the monitoring of Nominations to ensure that those on the housing register and in the greatest housing need are being fairly considered when nominations are provided to RP, assisting the Council in making the best use of all affordable housing that becomes available in the city.

6.0 Financial implications

6.1 This report has no financial implications for the Housing Revenue Account.

6.2 Ensuring RPs meet their obligations for the provision of affordable housing to applicants on the Council's housing register, as per the Nominations Agreements they have with the Council, increases the numbers of households that can be supported into affordable housing, including reducing the length of stay of some households in temporary accommodation, reducing the financial pressure on the General Fund.

[JM/03022021/L]

7.0 Legal implications

7.1 The Nominations Agreement has been developed with full consideration to the legal context.

7.2 Under section 170 of the 1996 Housing Act, it is a requirement of RPs to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority from under the Local Authority's allocation scheme.

7.3 The Regulator of Social Housing's Consumer Standards 2015 sets out the requirement for RP to cooperate with the Local Authorities strategic housing function.

7.4 The Statutory Code of Guidance for Housing Allocations 2012 states that Nominations Agreements should set out the proportion of lettings that will be made available; any criteria which the RP has adopted for accepting or rejecting nominees; and how any disputes will be resolved. It goes on to state that Housing Authorities will want to put in place arrangements to monitor effective delivery of the Nominations Agreement.

[RP/03022021/A]

8.0 Equalities implications

8.1 An equalities analysis has been undertaken, which demonstrates the positive implications of the revised Nomination Agreement in increasing the quantity, range and type of affordable housing that is made available to those households in housing need through nominations of applicants from the housing register to Registered Providers.

9.0 All other Implications

9.1 No further implications.

10.0 Schedule of background papers

10.1 [Housing Allocations and Nominations Agreement](#) – 10 December 2014 – Cabinet

10.2 [Allocations Policy Review](#) – 19 February 2020 - Cabinet

11.0 Appendices

11.1 Appendix 1: Agreement of Nominations Arrangements

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NOMINATIONS AGREEMENT

BETWEEN

CITY OF WOLVERHAMPTON COUNCIL

AND

XXXXXXXXXX

(INSERT CITY MAP)

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 - 5 LOCAL LETTINGS PLAN (LLP)**
 - 6 REQUESTING A NOMINATION**
 - 7 MAKING AND ACCEPTING NOMINATIONS**
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1 INTRODUCTION

- 1.1 This document sets out the Nominations Agreement between City of Wolverhampton Council and Social Housing Providers (Registered Providers).
- 1.2 Under section 170 of the 1996 Housing Act, it is a requirement of registered providers to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority from under the Local Authority's allocation scheme.
- 1.3 The Regulator of Social Housing's Consumer Standards 2015 sets out the requirement to cooperate with the Local Authorities strategic housing function.
- 1.4 In agreeing to the Nominations Agreement our Registered Provider partners support the City in realising its vision of 'Better Homes for All' as set out in the Housing Strategy 2019-2024.
- 1.5 For the first twelve months, this agreement will be reviewed every three months with each Registered Provider to ensure it is working effectively and meeting its aims and objectives. Thereafter it will be reviewed, at least every two years.

2 PURPOSE OF AGREEMENT

- 2.1 This agreement sets out the mechanism by which the Council will make nominations to Registered Providers, it also provides the procedures that are to be used to make existing and arising void properties available for nominations by the Council.

3 SCOPE OF NOMINATIONS

- 3.1 The nominations arrangements in this agreement apply to all Social Housing Providers with property within the City, even if they are not Registered Providers
- 3.2 Where the property is a true void, the Council will receive the agreed percentage of nominations for those properties. If the Registered Provider has a need for a true void that should come to the Council, they should consult with Wolverhampton Homes lettings team before they allocate the property.

Definition of a true void:

- A tenant who has moved to another landlord where no reciprocal commitment exists
- The death of a tenant where there is no statutory right of succession
- A tenant moving out to buy another property
- Abandonment of tenancy
- Eviction
- Rehousing of permanent decant
- A temporary decant returning to their permanent home

3.3 If the property is a non-true void, there is no obligation on the provider to offer it to the Council. This is unless there is a separate agreement either reciprocal or due to a nomination's debt owed to the council.

Definition of a non-true void:

- The temporary move of a tenant
- Transfer within the RP's stock
- Any reciprocal arrangement and mutual exchange

3.4 This agreement shall apply to new build properties, improved properties, conversions and relets.

3.5 The properties offered for nominees shall be a cross section of the quality and types of accommodation owned by the Registered Providers and take into account, size, type, location and whether social or affordable rent. Adapted properties will be included and properties that are accessible though not adapted will also be identified as such when seeking nominations, in order to assist customers with disabilities to choose suitable homes.

4 PERCENTAGE OF NOMINATIONS

- 4.1 Registered Providers shall offer the Council the right to nominate tenants for a minimum of 50% of lettings.
- 4.2 No account shall be taken of those identified as 'non true voids' as set out in 3.3.
- 4.3 The Council shall be notified by Registered Providers of all properties becoming available even if that void is not to be made available to a Council nominee.
- 4.4 **New Build Properties**
- 4.4.1 Most new developments will be subject to planning obligations known as section 106 agreements. Registered providers must submit any information requested regarding any proposed development to ensure that the planning obligation in respect of affordable housing is met.
- 4.4.2 This agreement requires that every new build scheme (irrespective of the number of units) and every conversion (producing three or more units) that has received public subsidy or is funded by a section 106 agreement should give the Council 100% nominations on first lettings and 50% nominations to subsequent lettings. This principle will apply unless it is superseded by an agreed Local Lettings Plan as set out in section 5.
- 4.4.3 If a Registered Provider has funded a new build scheme entirely through their own resources, the Council will receive 50% of nominations on first and subsequent lettings.
- 4.4.4 Registered Providers will advise the Council of the forthcoming properties three months prior to completion. Full details of the scheme, including layout plan, handover schedule, property type, size and mix, rent and service charge levels along with any other relevant information to be provided to Wolverhampton Homes.

5 LOCAL LETTINGS PLAN (LLP)

- 5.1 From time to time a Registered Provider may identify the need for a LLP, this will normally be a short term measure to address local management issues and support community cohesion.
- 5.2 LLP may therefore over-ride the existing nominations agreement for specific areas or developments for a time dependant period.
- 5.3 The Council has in place a LLP for new build development schemes that should meet the needs of providers. In the event that it is felt that this is not suitable, the Registered Provider will consult the Council as the strategic housing authority, at least six months prior to expected completion in order that the Housing Strategy team can have oversight of the proposal and seek Cabinet approval for the proposed plan.
- 5.4 The reasoning behind an LLP will need to be demonstrated to the Council by providing:
- A clear definition of the objective(s) to be achieved, backed up by clear evidence base.
 - The numbers/types of properties affected.
 - An equalities impact assessment.
 - Evidence of consultation with any other affected persons or organisations such as Tenant groups, voluntary groups or other local forums.
 - How it is proposed to market the LLP so that existing and potential stakeholders are aware of it.
 - Clear methodology on how the scheme will be monitored, reviewed and reported on.
 - Have a clear exit strategy should the LLP not achieve its objectives
- 5.5 LLPs must be reviewed annually, and a copy of the annual review outcomes sent to Housing Strategy for consideration.

6 REQUESTING A NOMINATION

6.1 All nomination requests will be made to the Council via Wolverhampton Homes Lettings Team who will be responsible for making all nominations.

6.2 For first lettings of new build or newly refurbished and converted properties, the Registered Provider shall request nominations three months prior to handover of the properties where there is a certainty that completion dates can be met.

6.3 No more than three of the same property types will be advertised each week on a new build scheme.

6.4 For re-let properties, providers will inform the Lettings team of vacancies by completing a nominations request.

6.5 Process for making a nomination request:

- The provider completes a nomination request proforma (Appendix 1) when a vacancy occurs and emails it to the Nominations Officer. A photograph in jpeg format of the property in landscape, resized to 200 x 150 is required.
- The nomination request pro-forma must be received by Friday at 12.00 noon in order for Wolverhampton Homes to create the property record and add it to the following week's adverts.
- Properties are advertised weekly on Tuesday, opening at 5.00pm and closing on Monday at 10.00am.
- On bank holidays a two-week advertising cycle may be required. Registered Providers will be notified in the event of this.

6.6 All properties for which a nomination is requested will be advertised through Homes in the City (HiTC), the Council's choice-based lettings scheme.

6.7 If you wish to advertise other properties through HiTC over and above the nomination percentage an alternative proforma can be obtained from WH and a charge for each property advertised will be agreed. (Appendix 2).

7 MAKING AND ACCEPTING NOMINATIONS

- 7.1 A shortlist of bidders is run when the HiTC advertising cycle closes each Monday. Wolverhampton Homes will send the provider a short list of bidders within three working days. The shortlist will include any information about the applicant that has been collected at registration stage.
- 7.2 If a restriction was selected when the property was advertised, for example, preference given to bands 2/3 applicants; these applicants will be at the top of the shortlist.
- 7.3 The shortlist will name bidders in priority order. The provider will offer the property to the first bidder on the shortlist. If refused, they will move down the shortlist until the property is accepted.
- 7.4 Registered Providers should endeavour to inform Wolverhampton Homes within one working day of a nominee being considered for an offer, this will help to prevent an applicant being considered for multiple properties and will reduce delays to other applicants on the waiting list.
- 7.5 Both Wolverhampton Homes and Registered Providers will agree to respond to requests for references within three working days.

8 REJECTED NOMINATIONS

- 8.1 There are circumstances where it may be appropriate for a Registered Provider to reject a nomination. This may include, but is not limited to:
- Information given about a nominee is substantially incorrect. In the case of this, Wolverhampton Homes would expect to be informed without delay so that there is the opportunity to seek to provide the missing information.
 - The nominee does not meet the specified requirements for the property.
 - The nominee is subject to the Registered Providers exclusion policy.
- 8.2 If a nomination is rejected by the Registered Provider, reasons must be submitted in writing to housing.strategy@wolverhampton.gov.uk. Each nomination must be considered on a case by case basis.

- 8.3 The Housing Strategy Team retains the right to appeal any such decision within two working days of receiving the information regarding a rejected nomination. During this two day period, the Registered Provider will agree not to offer or let the property to another applicant. If the Housing Strategy Team do not respond within this period, then the Registered Provider can move on and follow the usual procedures to let the property.
- 8.4 It is essential that Registered Providers when rejecting a nomination consult with Housing Strategy. Each case must be dealt with individually and it should be recognised that there is a shared responsibility in housing vulnerable households.

9 FAILURE TO MAKE OR SECURE A NOMINATION

- 9.1 There are times when the Lettings Team are unable to make nominations, the reasons for this may include, but are not limited to:
- The specified criteria for the property cannot be met by any of the applicants on the register.
 - It has been agreed that all of the nominees are unsuitable or have refused the offer.
 - The Council has not made the nominations within the time limits agreed.
 - There has been no response from nominees after two attempts at contact.
 - The information given about the nominee is substantially incorrect, in which case Wolverhampton Homes must be informed.
- 9.2 In the case of not being able to provide suitable nominees within the agreed three day limit, this will be classed as a failed nomination and the Registered Provider will be able to let from their own waiting list. This will show as a nomination for statistical purposes but must show as a failed nomination on the monitoring report.

10 HOUSING STATUTORY HOMELESS PEOPLE

- 10.1 As part of the agreement for nominations with the Council, Register Providers are asked to:

- use the prescribed wording (Appendix 3) when making offers to homeless applicants to ensure that statutory duties owed by the Council to homeless applicants can be effectively discharged.
- inform Wolverhampton Homes Lettings Team as to whether a homeless household has accepted, refused or not replied to an offer within one working day.

11 NUMBER OF OFFERS

11.1 The Councils Allocations Policy restricts the numbers of offers a person can receive to two offers in any twelve-month period.

11.2 The Councils Allocations Policy in respect of those with a Homeless priority will be restricted to one reasonable offer.

11.3 A reasonable offer made by a Registered Provider will count towards the maximum offers that a person could receive.

12 MONITORING OF NOMINATIONS

12.1 The Council and Registered Providers shall notify each other of any changes in their lettings policy and criteria which may affect this agreement.

12.2 Registered Providers will submit lettings logs to the Council on a monthly basis. Logs should be emailed to housing.strategy@wolverhampton.gov.uk. (Appendix 4).

12.3 Where requested by the Registered Provider, it is possible to submit letting logs on a quarterly basis.

12.4 The Council will review each Registered Provider's letting's log and compare this with lettings data held by Ministry of Housing, Communities and Local Government (MHCLG) on its CORE database every six months.

- 12.5 Any issues arising from nominations will be discussed quarterly as part of the individual partnership meetings between the Council, Wolverhampton Homes and Registered Providers.
- 12.6 Where the Registered Provider has failed to offer the appropriate percentage of nominations within a six-month period, it is expected that this percentage will be made up by an increased number of properties being made available for the Council to nominate to in the following six months.
- 12.7 An annual report will be prepared in the first quarter each year and distributed to Better Homes Board (BHB). The annual report may also be used to inform reports to Cabinet.
- 12.8 All data will be collected, stored and used in accordance with the Data Protection Act 1998 (as amended) GDPR/DPA 2018.

13 DATA PROTECTION

- 13.1 All staff who handle personal data should undertake mandatory training on protecting and handling personal information on at least an annual basis.
- 13.2 The Registered Providers should maintain a suite of policies on how to manage and handle personal data including, but not limited to:
- Information Governance Policy
 - Information Security
 - Records Management
 - Data Protection
- 13.3 The Registered Providers should apply appropriate technical and organisational measures to ensure the security of the information it collects and processes which may include: pseudonymizing and encrypting personal data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to personal data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the such measures adopted by it.
- 13.4 The Registered Provider will inform and cooperate with the Council in the event of any data breaches, Freedom of Information requests and Information Rights requests made.

14 EQUAL OPPORTUNITIES

- 14.1 The Council is committed to equal opportunities in employment and service delivery. The policies and practice of the Council aim to provide an environment that is free from all forms of unlawful or unfair discrimination and values the diversity of all of people.
- 14.2 In managing nominations and allocations, the Council and Registered Providers to ensure they comply with Equality Act 2010.
- 14.3 An annual information report on nominations will be provided to the Equalities Advisory Group and BHB by the Housing Strategy Team.

15 DISPUTE RESOLUTION

- 15.1 In the event of any disagreement between the Council and a Registered Provider with regards to the obligations or processes set out in this agreement, attempts should be made through discussion between Lead Officers to seek to resolve any issues.
- 15.2 In the event that resolution cannot be found, the dispute should be escalated to the relevant Heads of Service of both the Council and Registered Provider.
- 15.3 Following this, if there remains no resolution, the dispute will be escalated to relevant Directors of both the Council and Registered Provider and a decision made as to how to proceed.

16 RESPONSIBILITY FOR LEGAL COSTS

- 16.1 The Council will be responsible for the conduct and costs relating to the Council's Allocations Policy and general operation of the housing register and nomination system.
- 16.2 The Registered Provider will be responsible for the conduct and costs relating to actions of the individual Registered Providers. This includes where a nominee has been refused a property because they do not meet the Registered Providers Lettings Policy criteria, were refused an offer of housing due to the Registered Provides exclusion policy or cannot provide rent in advance or payment by direct debit if required.

Signed on behalf of Registered Provider

.....

Name of Registered Provider

.....

Date

Signed on behalf of City of Wolverhampton Council

.....

Date -----



Homes In The City



Wolverhampton Homes

NOMINATIONS FROM HOUSING ASSOCIATIONS
Homes in the City Advert proforma

In order for Wolverhampton Homes to advertise your home this proforma must be received by Friday at 12:00 noon for Wolverhampton Homes to create the property and add it to the following Tuesday's adverts. You will also need to include a photograph of the property in Landscape, resized to 200x150. If you have any queries please contact Georgina Spilsbury or Lorraine Wilkes.

Property element	Details	
Address		
Landlord/Managing Agent		
Rent per calendar month		
Property type	House	
	Flat	
	Maisonette	
	Bungalow	
	Studio flat (bedsit)	
Parlour type (if house) (Y/N)		
Number of bedrooms (total)		
Number of double bedrooms		
Number of single bedrooms		
Gradient of approach (please tick one only)	Level ground	
	Hilly terrain	
	Steps in or around property	
Floor Level (if a flat)		

Bathing facilities (please tick one only)	Bath	
	Shower over bath	
	Walk in shower	
	Wet Room	
2nd Toilet (Y/N)		
Location of toilet	Upstairs	
	Downstairs	
Heating Type (please tick one only)	Gas	
	Electric	
	Solid fuel	
	District heating scheme	
	Other (please specify)	
Garden (please tick one only)	Private sole use	
	Private but shared	
	Communal	
	No garden	
Pets (please tick one only)	Yes	
	No Dogs	
	No Pets Allowed	
	Written permission required	
Parking facilities (please tick one only)	Property with garage	
	Garage site nearby	
	Property has a drive	
	Property has no parking	
	Paid for parking scheme nearby	
	Communal car park	
Sheltered Accommodation Y/N		
Warden Y/N		
Minimum age requirement (please tick one only)	25+	
	30+	
	40+	

	50+	
	55+	
	60+	
Adaptations (if any)	Adapted Kitchen	
	Ground Floor Bedroom	
	Ground Floor Bathroom	
	Stair lift	
	Vertical Lift	
	Walk in shower	
	Wet Room	
	Widened Doorways	
Council Tax Band		
Furniture Provided (Y/N)		
Eligibility (please tick one only)	Families with children of any age	
	Families with children under 21	
	Single people only	
	Single people or couples only	
	Single people couples or families	
	Disabled Applicants only	
	Disabled families	
	60+/registered disabled	
Estimated tenancy start date		
Other information to be published		
Is this a short life tenancy Y/N		

All nominations should be sent to

Georgina.Spilsbury@wolverhamptonhomes.org.uk

Lorraine.wilkes@wolverhamptonhomes.org.uk



Homes In The City



NOMINATIONS FROM HOUSING ASSOCIATIONS Homes in the City Advert proforma

In order for Wolverhampton Homes to advertise your home we require this at the latest by Friday at 12:00 noon in order for Wolverhampton Homes to create the property and add it to the following weeks void edition. You will also need to include a photograph of the property in Landscape, resized to 200x150 pixels. If you have any queries, please contact Georgina Spilsbury or Lorraine Wilkes. Please note that your organisation will be charged £50* for this advert.

Property element	Details	
Address		
Landlord/Managing Agent		
Rent per calendar month		
Property type	House	
	Flat	
	Maisonette	
	Bungalow	
	Studio flat (bedsit)	
Parlour type (if house) (Y/N)		
Number of bedrooms (total)		
Number of double bedrooms		
Number of single bedrooms		
Gradient of approach (please tick one only)	Level ground	
	Hilly terrain	
	Steps in or around property	
Floor Level (if a flat)		
	Bath	

Bathing facilities (please tick one only)	Shower over bath	
	Walk in shower	
	Wet Room	
2nd Toilet (Y/N)		
Location of toilet	Upstairs	
	Downstairs	
Heating Type (please tick one only)	Gas	
	Electric	
	Solid fuel	
	District heating scheme	
	Other (please specify)	
Garden (please tick one only)	Private sole use	
	Private but shared	
	Communal	
	No garden	
Pets (please tick one only)	Yes	
	No Dogs	
	No Pets Allowed	
	Written permission required	
Parking facilities (please tick one only)	Property with garage	
	Garage site nearby	
	Property has a drive	
	Property has no parking	
	Paid for parking scheme nearby	
	Communal car park	
Sheltered Accommodation Y/N		
Warden Y/N		
Minimum age requirement (please tick one only)	25+	
	30+	
	40+	
	50+	

	55+	
	60+	
Adaptations (if any)	Adapted Kitchen	
	Ground Floor Bedroom	
	Ground Floor Bathroom	
	Stair lift	
	Vertical Lift	
	Walk in shower	
	Wet Room	
	Widened Doorways	
Council Tax Band		
Furniture Provided (Y/N)		
Eligibility (please tick one only)	Families with children of any age	
	Families with children under 21	
	Single people only	
	Single people or couples only	
	Single people couples or families	
	Disabled Applicants only	
	Disabled families	
	60+/registered disabled	
Estimated tenancy start date		
Other information to be published		
Is this a short life tenancy Y/N		

All nominations should be sent to

Georgina.Spilsbury@wolverhamptonhomes.org.uk

Lorraine.wilkes@wolverhamptonhomes.org.uk

Dear

Offer of accommodation to resolve your housing need under a homelessness duty

I am pleased to tell you that you have been made an offer of

The Landlord / agent of the property is

This is a final offer made to discharge your homelessness duty and we are satisfied that this is a suitable offer to meet your re-housing needs.

If you refuse this offer any housing duty owed to you under the Housing Act 1996, amended by 2002 Act or the Homeless Reduction Act 2017 will be ended.

You can accept the property and still review its suitability.

I would ask that you please consider this offer carefully taking into consideration the consequences for refusing this final offer to resolve your homelessness.

You have a right to request a review of the suitability of the offer within 21 days of the date of this decision.

Yours sincerely

Statement of Choice

Applicants owed a homeless duty will have their applications regularly reviewed to ensure they are bidding on suitable properties or to identify any barriers i.e. where they require an adapted property or large property.

Being owed a homeless duty relates to those accepted by The City of Wolverhampton under prevention, relief or main duty.

Where this is the case the Council retains the right to make direct bids on behalf of homeless applicants to help resolve their homelessness into suitable accommodation.

The Council will try to meet preferences around location, which will be assisted by the ability to make offers within the private rented sector and registered provider housing.

Due to the limited availability of housing the Council will retain the right to make an offer of accommodation where this becomes available in any area of Wolverhampton that the Council or one of its managing agents has assessed as reasonable, suitable and affordable for the household to live in.

The Council recognises that social housing is just one option to resolving a customer's housing need and therefore the council may also organise for a direct offer of private rented or housing association accommodation be made.

The Council will have due regard to where an applicant cannot live in certain areas due to fear of violence, harassment, domestic abuse or similar circumstance.

Applicants owed a homeless duty will be made one offer of suitable accommodation.

If refused this will end the homelessness duty, meaning the removal of reasonable preference need award and the loss of any temporary accommodation arranged.

This applies to those households accepted as homeless and owed a duty under prevention, relief or main duty.

Unless the applicant has another reason to be awarded a priority they will be placed in the lowest band on any housing application. The homeless application will be closed.

Applicants will have a right to request a review.

Monthly Lettings Return Form

City of Wolverhampton Council		Month:			Registered Provider returning form:			Number of voids on last day of month		
Address	Tenancy start date	Property type	Property size	Demand (high/medium/low)	Nomination requested by RP (Y/N)	Nomination requested by RP – paid advert (Y/N)	Allocated to Nominee (Y/N) – (if yes – reg no)	Housing Need (BAND)	Gender	Ethnicity
1										
Page 47	Comments									
3	Comments									
4	Comments									
5	Comments									
6	Comments									

housing.strategy@wolverhampton.gov.uk

Return – 10th day of every month or quarterly where RP requested.
CWC nominations monitoring form - December 2020

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Prescribed Alterations to Specialist Educational Provision	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Dr Michael Hardacre Education and Skills	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Emma Bennett, Director of Children's and Adult Services	
Originating service	Special Educational Needs Service	
Accountable employee	Robert Hart	Head of Service Inclusion and Empowerment
	Tel	01902 555256
	Email	Robert.hart@wolverhampton.gov.uk
Report to be/has been considered by	Children and Young People Leadership Team	11 February 2021

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the proposed prescribed alteration to St Michael's CE (A) Primary School.
2. Approve the capital allocation and the release of funds to establish new accommodation for a Resource Base at St Michael's CE (A) Primary School.
3. Receive and note the outcomes of Pre-publication Consultation and Representation in relation to the proposed prescribed alterations to St Michael's CE (A) Primary School.
4. Approve the Council entering into a Grant Agreement with St Michael's CE (A) Primary School.

5. Approve the virement from the Special Provision Capital Fund to the St Michael's CE (A) Primary School Project to fund the establishment of a new Resource Base to cater for pupils with Social, Emotional and Mental Health difficulties.
6. Approve the awarding of a grant to St Michael's CE (A) Primary School to fund the establishment of new accommodation.

1.0 Purpose

- 1.1 This report details the outcomes of Pre-publication Consultation and Representation on the proposed prescribed alterations to specialist educational provision at St Michael's CE (A) Primary School.
- 1.2 The paper seeks approval to permanently implement the proposed prescribed alterations.

2.0 Background

- 2.1 Local authorities must ensure that there are sufficient good school places for all pupils, including those with Special Educational Needs and Disabilities (SEND).
- 2.2 The Children and Families Act 2014 requires local authorities to keep provision for children and young people with SEND under review (including its sufficiency).
- 2.3 Central Government has committed £265 million of capital funding (Special Provision Capital Fund) to help local authorities create new school places and improve existing facilities for children and young people with SEND.
- 2.4 Wolverhampton was initially allocated £1,158,571 (across the period 2018-2019 to 2020-2021); however, in May 2018 a further top up allocation was announced. Wolverhampton has now been allocated a total of £1,428,006 (across the period 2018-2019 to 2020-2021).
- 2.5 On 27 February 2018, Cabinet (Resources) Panel:
 - Endorsed the acceptance of a grant of £1,158,571 over three years from the Department of Education in relation to the Special Provision Capital Fund.
 - Endorsed the development of the planned investment of the Special Provision Capital Fund, in line with the guiding principles set out in the report.
 - Delegated authority to the Cabinet Member for Education, in consultation with the Director of Education, for decisions relating to the future investment of the Special Provision Capital Fund.
- 2.6 On 6 March 2018, the Cabinet Member for Education, in consultation with the Director of Education;
 - Endorsed the investment priorities for the Special Provision Capital Fund.
 - Approved the publication of, and subsequent consultation upon, the proposed use of the Special Provision Capital Fund.
- 2.7 On 12 September 2018, Cabinet approved the 'Vision for School Organisation 2018-2020' which outlines the Council's strategic policy in relation to the planning and organisation of school provision across the City. The strategy recommends that the development of provision for students with SEND is guided by the following principles:

- “Local solutions are developed to support a reduction in the required number of out of City placements.
- The number of transitions experienced by children with SEND should be minimised wherever possible.
- Solutions should be developed to offer opportunities for students with SEND to attend mainstream provision, unless doing so would be incompatible with the provision of efficient education for other children.” (City of Wolverhampton Council, September 2018).

2.8 On 27 February 2020, the Cabinet Member for Education, in consultation with the Director of Education;

- Endorsed the progression for the development of new resource base provision.
- Approved the proposed scheme at St Michael’s CE Primary to proceed to the initiation phase of the establishment process.

3.0 Statutory Consultation and Decision Making Process

3.1 Figure 1 below summarises the proposed prescribed alterations to St Michael’s CE Primary School.

Figure 1: Proposed Alterations

School	Ward	Ofsted Judgement	Proposed Change(s)	Existing Registration	Proposed Registration (with effect from 1 January 2022)
St Michael’s C of E Aided Primary School	Tettenhall Regis	Outstanding	<ul style="list-style-type: none"> • Establishment of SEN provision. 	<ul style="list-style-type: none"> • Mainstream provision. 	<ul style="list-style-type: none"> • Mainstream provision with a resource base for pupils with SEMH.

3.2 The change proposals qualify as prescribed alterations which require the undertaking of statutory consultation and decision making processes in accordance with ‘The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013’ and ‘The Education and Inspections Act 2006 – as amended by The Education Act 2011.

3.3 Figure 2 below summarises the consultation and decision making process:

Figure 2: Consultation and Decision Making Process

Date	Process
14 September 2020 to 12 October 2020	Pre-publication Consultation.
November 2020	The Cabinet Member for Education and Skills, in consultation with the Director of Education, considers the outcome of Pre-Publication Consultation and determines whether or not to proceed to a formal period of Representation in relation to the proposed changes.
1 December 2020 to 11 January 2021	Subject to approval, a period of Representation (formal consultation) will be undertaken.
17 February 2021	Cabinet consider the outcomes of consultation and make a final decision on the proposals.
16 February 2021 to 17 March 2021	Appeals Period
1 January 2022	Implementation

- 3.4 As detailed within the Department for Education's (DfE's) statutory guidance, the Council is the decision-making body regarding proposals to make prescribed alterations to establish and/or alter SEN provision at maintained schools.
- 3.5 Decisions must be made within two months of the end of the Representation Period or they must be referred to the Schools Adjudicator.
- 3.6 There are a number of factors that Cabinet are required to have regard to when making decisions on the proposals. DfE Statutory guidance for decision makers can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf
- 3.7 Decision makers must consider all views submitted during consultation.
- 3.8 When issuing a decision, the Cabinet can:
- Reject the proposal
 - Approve the proposal without modification
 - Approve the proposal with modification
 - Approve the proposal - with or without modification - subject to certain conditions being met.
- 3.9 The following bodies may appeal the decision:
- The local Church of England diocese
 - The local Roman Catholic diocese.

Should an appeal be lodged, the Council must then send the proposal, representations received and the reasons for their decisions to the Schools Adjudicator.

4.0 Pre-publication Consultation Outcomes

4.1 St Michael's CE (A) Primary School:

4.2 St Michael's CE (A) Primary School is a mainstream voluntary aided primary school which does not currently house specialist provision for pupils with Special Educational Needs and Disabilities. It is proposed to deliver new accommodation on the site including; two new classrooms, a specialism room, a general-purpose room, storage facilities, pupil and staff toilets, circulation space and external remodelling to support the establishment of a 16-place resource base for pupils with Social, Emotional and Mental Health (SEMH) difficulties at St Michael's CE (A) Primary School.

4.3 The establishment of resource base provision at St Michael's CE (A) Primary School would ensure the sufficiency of provision in the City, enable a wider range of pupils to benefit from the education and support provided by St Michael's CE (A) Primary School and address the existing demand issue with pupils leaving the City.

4.4 During the Pre-publication Consultation period, more than 700 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of St Michael's CE (A) Primary School, members of staff at St Michael's CE (A) Primary School, parents/carers of pupils attending St Michael's CE (A) Primary School and all schools in Wolverhampton. **A complete list of stakeholders who were consulted can be found at Appendix 1.**

4.5 During the Pre-publication Consultation period, 28 written responses were received by the City of Wolverhampton Council (as summarised in Figure 5). These were completed by a range of stakeholders including members of staff at St Michael's CE (A) Primary School, parents/carers of pupils attending St Michael's CE (A) Primary School and members of St Michael's CE (A) Primary School's Governing Board.

4.6 Figure 5: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
Do you agree with the proposal to establish a resource base for pupils with Social, Emotional and Mental Health (SEMH) Needs at St Michael's Church of England (Aided)	28	26 (93%)	1 (3.5%)	1 (3.5%)	0 (0%)

Primary School, with effect from 1 January 2022?					
--	--	--	--	--	--

Copies of all consultation responses can be found at Appendix 2 and must be given due consideration.

4.7 A number of supportive comments regarding the proposal were received during Pre-publication Consultation including:

1. "Not only would the base provide a resource for pupils who have SEMH needs, it would also educate existing St Michael's pupils. Education is key to reducing the stigma around SEMH. As someone who works with young people (Post 16) who have SEMH needs, it is clear to see that early intervention is key. Key to helping young people/children to progress both emotionally, socially and academically." (M5 - Parent/Carer of a pupil at St Michael's CE (A) Primary School)
2. "It would be very helpful if a base was open at St Michael's CE Primary School for children with special needs and disabilities as I have a son who has additional needs and has just started reception. I would like a base to be open at St Michael's School as i have a daughter already attending and my son will be having an Education, Health and Care Plan (EHCP) Plan in place and i would love for him to carry his school life journey at St Michael's School" (M11 – Parent/Carer of a pupil at St Michael's CE (A) Primary School)
3. "A fantastic idea, having the base on site will make it easier for parents to access. Pupils need more support especially with the current situation of covid." (M17 - Parent/Carer of a pupil at St Michael's CE (A) Primary School)
4. "Hopefully this new venture will offer early interventions for those in critical need and would hopefully prevent mental health support in later years. Statistics do support this and show that very early interventions helps pupils make great strides in their holistic and educational developments at a much faster rate." (M19 – NHS Black Country Nurse Practitioner)
5. "With the increase in children receiving diagnosis of SEMH needs even younger the city must respond more quickly, offering proactive support rather than reactive. A resource base in the city would be able to provide this." (M26 – Special Educational Needs Co-ordinator at Wolverhampton secondary school)
6. "I would fully support this proposal. It is an area of growing need and particularly so among young people. I believe that pupils with SEMH needs would thrive at St Michael's given their strong and caring ethos." (M28 – Leader at local secondary School)

- 4.8 There was one concern regarding the proposal identified during Pre-publication Consultation:
1. “My concern is the School is too small for such a resource base to be suitably implemented and there are not enough areas to provide services which would be needed.” (M24 – Parent/Carer of a pupil at St Michael’s CE (A) Primary School)
- 4.9 A Task and Finish Group has been set up to offer project assurance and support the school to deliver effective, high quality resource base provision in a timely fashion. A copy of the Terms of Reference can be found at Appendix 3.
- 4.10 Representatives from the Education Department met with members of St Michael’s CE (A) Primary School’s Governing Board on 10 September 2020.
- 4.11 Outcome of Representation:
- 4.12 The Representation Period commenced on 1 December 2020 and concluded on 11 January 2021. At the start of the consultation period, a Statutory Notice (Appendix 4) was published in the Express and Star Newspaper and consultation documentation was published on the Council’s website and distributed to relevant stakeholders.
- 4.13 The City of Wolverhampton Council did not receive any responses regarding the proposed change to Warstones Primary School during the Representation Period.
- 4.14 Having duly considered all responses received, Cabinet is recommended to approve the proposed prescribed alterations to St Michael’s CE Primary School.

5.0 Evaluation of alternative options

- 5.1 Whilst alternative solutions exist, the proposed changes offer practical opportunities to maximise the efficient and timely use of resources and align to the Council’s strategic aspirations to:
- “Ensure Wolverhampton’s school estate is fit for purpose and meets the full range of more complex needs of children and young people with special educational needs and disabilities now being placed.”
 - “Develop local provision in order to reduce the number of children needing residential and out of area education, health and care services.” (City of Wolverhampton Council 2016).

6.0 Reasons for decisions

- 6.1 The proposals would support the Council to develop high quality educational provision for pupils with Special Educational Needs and Disabilities and ensure that community needs can be met effectively.

7.0 Financial implications

- 7.1 The proposed prescribed alterations would be supported by a capital grant from the Department for Education (the Special Provision Capital Fund).
- 7.2 Wolverhampton was initially allocated £1.158 million (across the period 2018-19 to 2020-21); however, in May 2018 a further top up allocation was announced. Wolverhampton has now been allocated a total of £1.967 million (across the period 2018-19 to 2020-21).
- 7.3 The capital expenditure required at St Michael's CE Primary will cost in the region of £0.560 million. The cost can be met from the unallocated capital funding within the approved capital programme for Special Provision Capital Funding.
- 7.4 Approval is also sought in this report to award a grant to St Michael's CE (A) Primary School to fund the establishment of a new Resource Base. A grant agreement will be entered into with the school detailing the level of grant, purpose and any clawback arrangements for unspent grant.
[TS/26012021/U]

8.0 Legal implications

- 8.1 Local authorities must ensure that there are sufficient good schools places for all pupils, including those with SEND.
- 8.2 The Children and Families Act 2014 specifies pertinent duties placed on local authorities in relation to the provision of support for children and young people with SEND including:
- Local authorities in England must exercise their functions with a view to securing that they identify all the children and young people in their area who have or may have special educational needs and/or a disability.
 - Local authorities in England must keep under review the educational provision, training provision and social care provision made outside their area for children and young people for whom they are responsible who have special educational needs and/or a disability.
- 8.3 The legal implications arising from this report are stated in the body of the report. In addition, any proposals to alter the structure of school provision in the area would need to comply with the detailed provisions in the Education and Inspections Act 2006 to ensure sufficient consultation is undertaken and that relevant stakeholders are notified of the proposals/decisions in a timely manner.
- 8.4 The grant agreement will set out the funds to be provided together with any milestones that must be achieved and any clawback that the Council may be entitled to.
[TS/09022021/R]

9.0 Equalities implications

- 9.1 This report has equal opportunity implications as the contents have direct relevance to educational provision for children and young people in the City.
- 9.2 A full Equality Analysis has been completed in relation to St Michael's CE (A) Primary School. A copy of the Equality Analysis is available in Appendix 5. In line with the prescribed decision-making process, decision-makers are required to pay due regard to this analysis.

10.0 All other implications

- 10.1 Representatives of the Corporate Landlord and Education Directorates are working closely with school leaders to develop appropriate capital schemes which effectively enable the prescribed alterations and meet pupils' needs.
- 10.2 The accommodation proposals for the resource base at St Michael's CE (A) Primary School will be procured and project managed by the Lichfield Diocese. It should be noted that this scheme will require a development plan to be in place and this will be agreed with the Council's Legal team.

11.0 Schedule of background papers

- 11.1 Individual Executive Decision Notice (IEDN) (6 March 2018) [Special Provision Capital Fund.](#)
- 11.2 Cabinet (Resources) Panel (27 February 2018) [Special Provision Capital Fund.](#)
- 11.3 Cabinet (24 February 2016) [Joint Special Educational Needs and Disabilities Strategy.](#)
- 11.4 IEDN (27 February 2020) [Development of Resource Base Provision.](#)
- 11.5 IEDN (19 November 2020) Proposed changes to Specialist Educational Provision.

12.0 Appendices

- 12.1 Appendix 1 - St Michael's CE (A) Primary School Pre-Publication Consultees.
- 12.2 Appendix 2 - St Michael's CE (A) Primary School Pre-Publication Consultation Responses.
- 12.3 Appendix 3 - St Michael's CE (A) Primary School Task and Finish Group TOR.
- 12.4 Appendix 4 - St Michael's CE (A) Primary School – Statutory Notice.
- 12.5 Appendix 5 - St Michael's CE (A) Primary School – Full Equality Analysis.

Activity	Contact Details
Consultees - Survey	
Parents/Carers	Via School letter/Online Platform
Staff Members/Governing Board	Via School letter/Online Platform
Consultation Platform	Via Performance and Insight Team
Internal Colleagues	Education Representatives (E-mail)
Children Young People and Families Scrutiny Board	Via Earl Piggott Smith (E-mail)
All Ward Cllrs	Via Lynn Askin (E-mail)
All members of SEND Commissioning Partnership Board	Via Nicola Harris (Email)
All chairs of Governors/Trust, Headteachers for Wolverhampton Schools and SENCOs	Via Elaine Westwood (E-mail)
Local Diocesan Authorities	Steve.Rayner@lichfield.anglican.org, t.guest@bdes.org.uk
Members of Connect Ed Board	enquiries@connectedpartnership.com
All Wolves MPs	jane.stevenson.mp@parliament.uk; stuart.anderson.mp@parliament.uk; mcfaddenp@parliament.uk
West Midlands Regional Schools Commissioner	rsc.wm@education.gov.uk
All neighbouring LAs	Sally.Rowe@walsall.gov.uk ; Cath.Rowe@dudley.gov.uk ; children.services@dudley.gov.uk ; lesley_hagger@sandwell.gov.uk ; helen.riley@staffordshire.gov.uk
Education Trade Union Reps	Via Elaine Westwood (E-mail)

Schedule process for report production, consultation analysis, EQ analysis, update to DPIA and publication of decision

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Are you a: (Please select as appropriate) - Checkbox - Pupil at St Michael's Church of England (Aided) Primary School	Are you a: (Please select as appropriate) - Checkbox - Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School	Are you a: (Please select as appropriate) - Checkbox - Member of St Michael's Church of England (Aided) Primary School	Are you a: (Please select as appropriate) - Checkbox - Member of the Governing Board at St Michael's Church of England (Aided) Primary School	Are you a: (Please select as appropriate) - Checkbox - Other (Please state)	Are you a: (Please select as appropriate) - Other	Do you agree with the proposal to establish a resource base for pupils with Social, Emotional and Mental Health (SEMH) Needs at St Michael's Church of England (Aided) Primary School, with effect from 1 January 2022? - Y/N/DK	Do you agree with the proposal to establish a resource base for pupils with Social, Emotional and Mental Health (SEMH) Needs at St Michael's Church of England (Aided) Primary School, with effect from 1 January 2022? - Please add any comments
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					DK	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	Not only would the base provide a resource for pupils who have SEMH needs, it would also educate existing St Michael's pupils. Education is key to reducing the stigma around SEMH. As someone who works with young people (Post 16) who have SEMH needs, it is clear to see that early intervention is key. Key to helping young people/children to progress both emotionally, socially and academically. St Michael's is a naturally nurturing environment and the care and support for the pupils is evident from interactions with all staff members i have had contact with since my daughter started there in 2019. A resource base for pupils who have SEMH needs would be an asset to the existing school pupils and new pupils who would attend.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
		Member of Staff at St Michael's CE (A) Primary School	Member of the Governing Board at St Michael's CE (A) Primary School			Yes	A fantastic opportunity for the school and Local area. St Michael's is an outstanding school with wonderful staff. This is a great chance to help as many children as possible with these kind of needs.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	It would be very helpful if a base was open at St Michael's CE Primary School for children with special needs and disabilities as I have a son who has additional needs and has just started reception. I would like a base to be open at St Michael's School as i have a daughter already attending and my son will be having an EHCP Plan in place and i would love for him to carry his school life journey at St Michael's School as i have been very impressed with the way the school are adapting things for my son to start his journey. Please accept this request so that a base can be made to make it easier for parents who already have children attending the school and for other children who have special needs. They should be able to get along with other children.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
				Other	Grandparent of a pupil at School	Yes	SEMH is becoming a wider need both in school and the local community, amenities are stretched and I believe a resource base would be beneficial to students needs. In height of post covid and worries and anxieties it has flagged up, a resource base would be an excellent idea. St Michael's is a fabulous school and being able to offer SEMH provision would be an asset to the work they already do for students and local community. It would allow the school to assist in the education of children that need specialised tuition to enable them to learn and thrive.

	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	Providing a space for children with SEND or struggling with mental health can benefit their learning and may even provide them with the abilities to overcome any obstructions in their learning. Children may even be able to enhance social skills and surroundings especially if they are around other children that are similar to them. This would be an amazing thing to to that will not only bring more families and school's together but can also impact the community and their upbringing. It can be hard sometimes providing assistance to those in need but this would be a massive step forward.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School	Member of Staff at St Michael's CE (A) Primary School				Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	A fantastic idea, having the base on site will make it easier for parents to access. Pupils need more support especially with the current situation of covid.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
				Other	NHS - Senior Nurse Practitioner	Yes	Working as a senior nurse practitioner within the Black Country Health Care Trust (for people in a mental health crisis) we fully endorse the proposal for the special proviosn unit at St Michael's School. I have witnessed close hand how mental health support can positively turn around peoples lives, as a lot of patients that suffer a mental illness in later life have often had a history of childhood trauma that has gone undiagnosed/unrecognised. Hopefully this new venture will offer early interventions for those in critical need and would hopefully prevent mental health support in later years. Statistics do support this and show that very early interventions helps pupils make great strides in their holistic and educational developments at a much faster rate. This proposal also supports the department of education request for all Schools to have a mental health lead within Schools by 2025. This provision would also benefit the rest of the school as traditional classes and class teachers would receive greater support too - as most resource bases offer an outreach services, for a school like St Michael's which has been given "OFSTED OUTSTANDING" this could be a further level and could maybe in the future offer support for other children from the Borough and not just those at St Michael's.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	I believe in prevention to help assist in the cure of behaviour. Children can be taught what is and is not appropriate behaviour in society regardless of where they come from or background. With a strong emphasis on SEMH which is a big concern in our modern society. I am totally for this way forward to address childrens behaviour early on in their school career.
				Other (Please state)		Yes	
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					No	The school is too small for such a resource to be suitably implemented. There are not enough areas to provide services which would be needed.
				Other (Please state)		Yes	
				Other (Please state)	Special educational needs co-ordinator at Ormiston NEW Academy	Yes	With the increase in children receiving diagnosis of SEMH needs even younger the city must respond more quickly, offering proactive support rather than reactive. A resource base in the city would be able to provide this.
	Parent/Carer of a pupil at St Michael's Church of England (Aided) Primary School					Yes	
				Other (Please state)	Leader at local secondary school	Yes	I would fully support this proposal. It is an area of growing need and particularly so among young people. I believe that pupils with SEMH needs would thrive at St Michael's given their strong and caring ethos. I believe that, in the future, there would be great scope to continue the provision by establishing a similar base within a neighbouring secondary school with similar ethos, values and levels of pupil welfare so that there can be coordinated transition from primary to secondary for pupils with SEMH needs.

What gender are you? - Gender	Is your gender identity the same as the gender you were assigned at birth? - Gender identity	What is your ethnic origin? - Ethnic origin	Do you have a disability which affects your day to day activities, which has lasted, or you expect to last, at least a year? - Disability	What religion are you? - Religion	Please indicate how old you are: - Age	What is your sexual orientation? - Sexual Orientation	Response ID
Female	Yes	Black or Black British	No	Christian	25 - 34	Prefer not to say	M1
Female	Yes	White and Black African	No	Muslim	25 - 34	Heterosexual / Straight	M2
Female	Yes	White and Black African	No	Muslim	25 - 34	Heterosexual / Straight	M3
Female	Yes	White - Other European	No	Christian	25 - 34	Heterosexual / Straight	M4
Female	Yes	Other Mixed Background	No	Christian	35 - 44	Heterosexual / Straight	M5
Female	Yes	White - British	No	Christian	25 - 34	Heterosexual / Straight	M6
Female	Yes	White - British	No	Christian	25 - 34	Heterosexual / Straight	M7
Female	Yes	Other Asian or Asian British	No		35 - 44	Heterosexual / Straight	M8
Male	Yes	Asian or Asian British – Pakistani	Prefer not to say	Muslim	45 - 54	Heterosexual / Straight	M9
Female	Yes	White - British	No	Christian	45 - 54	Heterosexual / Straight	M10
Female	Yes	Asian or Asian British - Pakistani		Muslim	25 - 34		M11
Female	Yes	White - British	Yes	No Religion	35 - 44	Heterosexual / Straight	M12
Female	Yes	White - British	No	Christian	45 - 54	Heterosexual / Straight	M13

Female	Yes	Black or Black British - Caribbean	Prefer not to say	Christian	16 - 24	Heterosexual / Straight	M14
Female	Yes	White - British	No	No Religion	35 - 44	Heterosexual / Straight	M15
Female	Yes	White - British	No	Christian	35 - 44	Heterosexual / Straight	M16
Female	Yes	Asian or Asian British - Pakistani	No	Muslim	45 - 54	Heterosexual / Straight	M17
Female	Yes	Other White	No	Christian	25 - 34	Heterosexual / Straight	M18
Female	Yes	White and Black Caribbean	No	No Religion	35 - 44	Heterosexual / Straight	M19
Female	Yes	Black or Black British - Caribbean	No	Christian	25 - 34	Heterosexual / Straight	M20
Female		Black or Black British - African			35 - 44		M21
Female	Yes	White - British	No	Christian	45 - 54	Heterosexual / Straight	M22
Female	Yes	White - British	No	Christian	45 - 54	Heterosexual / Straight	M23
Female	Yes	White - British	No	Christian	25 - 34	Heterosexual / Straight	M24
Prefer not to say	Prefer not to say	Prefer not to say	Prefer not to say	Prefer not to say	Prefer not to say	Prefer not to say	M25
Female	Yes	White - British	No	No Religion	25 - 34	Heterosexual / Straight	M26
Female	Yes	Asian or Asian British – Indian	No	Sikh	35 - 44	Heterosexual / Straight	M27
Male	Yes	White - British	No	Christian	45 - 54	Heterosexual / Straight	M28

St Michael's CE Primary School Resource Base Task and Finish Group

Terms of Reference (September 2020)

1. Purpose

It is proposed that a resource base for up to 16 pupils with Social, Emotional and Mental Health difficulties is established at St Michael's CE Primary with effect from 1 January 2022.

The St Michael's CE Primary School Resource Base Task and Finish Group exists to offer project assurance and support the school to deliver effective, high quality resource base provision in a timely fashion.

2. Responsibilities

The St Michael's CE Primary School Resource Base Task and Finish Group will:

- Provide a structured forum to support the timely establishment of robust, high-quality provision.
- Provide practical advice and guidance to the school.
- Identify and allocate tasks/responsibility to individual T&F group members to support the development of the resource base.
- Monitor the progression of prescribed consultation and decision-making processes.
- Monitor the development of provision.
- Ensure that pertinent services and partners are kept informed of progress regarding the development of provision.
- Identify and monitor pertinent risks.

3. Frequency

The Task and Finish Group will meet on a regular basis as detailed below.

St Michael's CE Primary School Resource Base Task and Finish Group
6 July 2020 – 4pm
7 September 2020 – 4pm
5 October 2020 – 4pm
2 November 2020 – 4pm
30 November 2020 – 4pm
11 January 2021 – time tbc
22 February 2021 – time tbc (Review of future frequency)

4. Membership

Name	Organisation	Role	Contact
Anna Vrahimi	CWC	School SEND Improvement Adviser	Anna.vrahimi@wolverhampton.gov.uk
Amanda Haddon	CWC	Inclusion Manager	amanda.haddon@wolverhampton.gov.uk
Chris Wood	CWC	Educational Psychologist	chris.wood@wolverhampton.gov.uk
Eve Griffiths	Wolverhampton Outreach Service	Service Coordinator	egriffiths@pennfields.com
Hayley Kelly	CWC	SEND Commissioning Development Officer	Hayley.Kelly2@wolverhampton.gov.uk
Kate Jackson	St Michael's CE Primary	Headteacher	kjackson@stmichaelsceprimary.co.uk

Nathalie Milhavy-Jones	St Michael's CE Primary	Deputy Head and SENDCo	Nmilhavy-jones@stmichaelsceprimary.co.uk
Zoe Wilson	St Michael's CE Primary	Chair of Governors	zoewilson45@outlook.com
Sarah Harty	St Michael's CE Primary	Finance Officer	sharty@stmichaelsceprimary.co.uk
Katrina McCormick	Wolverhampton CCG	SEND Lead	katrina.mccormick1@nhs.net
Kay Mason	CWC	School Improvement Adviser	Kay.Mason@wolverhampton.gov.uk
Mags Courts	Wolverhampton CCG	Children's Commissioning Manager	margaret.courts@nhs.net
Michelle McManus	CWC	SENSTART Team Leader	Michelle.Mcmanus2@wolverhampton.gov.uk
Nick Beeston	CWC	Asset Officer (Schools)	Nick.Beeston@wolverhampton.gov.uk
Steve Rayner	Lichfield Diocesan Board of Education	Trusts and Property Manager	Steve.Rayner@lichfield.anglican.org
Andrew Collie	Lichfield Diocesan Board of Education	Property Lead	Andrew.Collie@lichfield.anglican.org
Steven Larking (Chair)	CWC	SEN Commissioning Manager	Steven.Larking@wolverhampton.gov.uk

- Please note that substitutes are not required.
- Notes of this meeting are taken by the City of Wolverhampton Council's SEND Commissioning Development Officer.

PUBLIC NOTICE

CITY OF WOLVERHAMPTON COUNCIL
PROPOSAL WITH REGARD TO
ST MICHAEL'S CE (A) PRIMARY SCHOOL

Appendix 4

NOTICE IS HEREBY GIVEN in accordance with Section 19 (1) of the Education and Inspections Act 2006 as amended by the Education Act 2011 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, that the City of Wolverhampton Council (Civic Centre, St Peter's Square, Wolverhampton WV1 1RL) intends to make the following prescribed alteration to the Voluntary aided school listed below:

St Michael's CE (A) Primary School, Lower Street, Tettenhall, Wolverhampton, West Midlands, WV6 9AF

It is proposed that with effect from 1 January 2022, a 16-place resource base for pupils with Social, Emotional and Mental Health difficulties is established at St Michael's CE (A) Primary School.

This notice is an extract from the Full Proposals. Further information regarding the above proposal is available within the Full Proposals which can be viewed at <https://consultation.wolverhampton.gov.uk/send/proposed-changes-to-st-michaels> or obtained by emailing SENDTeam@wolverhampton.gov.uk

Within four weeks of the date of publication of these proposals any person may object to or make comments on the proposals. Should you have any comments, supporting or objecting to any of the above proposals, please email SENDTeam@wolverhampton.gov.uk by no later than 11 January 2021.

Dated 1 December 2020

David Pattison
Director of Governance
and Solicitor to the Council
Civic Centre, St Peter's Square
Wolverhampton WV1 1RG

CITY OF
WOLVERHAMPTON
COUNCIL

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Equality Analysis

Directorate: Education	Lead Officer: Steven Larking (Commissioning Manager)
Service Area: Special Educational Needs and Disabilities	Date completed: 12 October 2020
Service / Function / Policy / Procedure to be assessed:	
Is this: New / Proposed <input checked="" type="checkbox"/> Existing/Review <input type="checkbox"/> Changing <input type="checkbox"/> (Please tick appropriate box)	Review date:

Full Equality Analysis

Page 1

The Aims of the Service/Policy?

St Michael's CE (A) Primary School is a mainstream VA primary school which does not currently house specialist provision for pupils with Special Educational Needs and Disabilities.

It is proposed that with effect from 1 January 2022, a resource base for pupils with Social, Emotional and Mental Health difficulties is established at St Michael's CE Primary School.

The establishment of resource base provision at St Michael's CE (A) Primary School would ensure the sufficiency of provision in the City, enable a wider range of pupils to benefit from the education and support provided by St Michael's CE (A) Primary School and address the existing demand issue with pupils leaving the City.

What Impact does this policy have on different Equality Groups - Race, Disability, Gender, Gender Re-assignment, Age, Religion or Belief, Sexual Orientation, Maternity/Pregnancy, Marriage/Civil Partnership and other Socially Excluded Communities or Groups)?

This proposal will advance equality of opportunity for those pupils with SEND.

What does the information/ Data you hold tell us?

What evidence/data already exists about the service and its users? (in terms of its impact on the 'equality strand', i.e. race, disability, gender, gender re-assignment, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

D

Page

Age:

In January 2020, there were 206 pupils on roll at St Michael's CE (A) Primary School. Pupils were spread across the age range 4 to 10.

Disability:

In January 2020, 36 pupils on roll at St Michael's CE (A) Primary School had a Special Educational Need and/or Disability (SEND) – the vast majority of these pupils were accessing SEN Support.

Gender:

In January 2020, 100 pupils were male and 106 pupils were female.

Ethnicity:

In January 2020, 65 pupils on roll at St Michael's CE (A) Primary School were identified as being White British.

Consultation

This may be difficult during these unprecented times - However, do you have an Eligibility Criteria from Government or Are we setting our own Criteria?

- ⇒ Once this has been identified are we able to identify the adverse impact and minimise the impact against those who are affected?
- ⇒ How/Will/ you consult with those equality groups that will be affected?

The change proposal qualifies as a prescribed alteration which require the undertaking of statutory consultation and decision making processes in accordance with 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and 'The Education and Inspections Act 2006 – as amended by The Education Act 2011.

The change proposal qualifies as a prescribed alteration which require the undertaking of statutory consultation and decision making processes in accordance with 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and 'The Education and Inspections Act 2006 – as amended by The Education Act 2011.

Figure 1 below outlines the consultation and decision making process:

Figure 1: Consultation and Decision Making Process

Date	Process
14 September 2020 to 11 October 2020	Pre-publication Consultation
November 2020	The Cabinet Member for Education and Skills, in consultation with the Director of Education; considered all outcomes of Pre-publication Consultation and approved progression to a period of Representation.
01 December 2020 to 11 January 2021	Subject to approval, a period of Representation (formal consultation) will be undertaken.
17 February 2021	Cabinet consider all outcomes of consultation and make a final decision on

	the proposals.
16 February 2021 to 17 March 2021	Appeals Period.
1 January 2022	Implementation

Pre-publication Consultation

Pre-publication Consultation commenced on 14 September 2020 and will end on 11 October 2020. During the Pre-publication Consultation period, more than 700 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of St Michael's CE (A) Primary School, members of staff at St Michael's CE (A) Primary School, parents/carers of pupils attending St Michael's CE (A) Primary School and all schools in Wolverhampton.

During the Pre-publication Consultation period, 28 written responses were received by the City of Wolverhampton Council (as summarised in Figure 2). These were completed by a range of stakeholders including members of staff at Warstones Primary School, parents/carers of pupils attending Warstones Primary School and members of Warstones Primary School's Governing Board.

Figure 2: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
Do you agree with the proposal to establish a resource base for pupils with Social, Emotional and Mental Health (SEMH) Needs at St Michael's Church of England (Aided) Primary School, with effect from 1 January 2022?	28	26 (93%)	1 (3.5%)	1 (3.5%)	0 (0%)

Respondee Summary:

- Age: The age ranges of respondees to Pre-publication Consultation were 1 (16-24), 11 (25-34), 8 (35-44), 7 (45-54), 0 (55-64), and 1 (abstained).
- Gender: The genders of respondees to Pre-publication Consultation were 25 (female), 2 (male) and 1 (abstained).
- Gender Identity: 26 respondees to Pre-publication Consultation were identified as having the same gender identity as assigned at birth, 2 respondees abstained.
- Sexual Orientation: The sexual orientation of respondees to Pre-publication Consultation were 24 (Heterosexual) and 4 (abstained).
- Ethnic Origin: The ethnic origin of respondees to Pre-publication Consultation was 2 (Asian or Asian British - Indian), 3 (Asian or Asian British - Pakistani), 1 (Other Asian or Asian British), 1 (Other Mixed Background), 1 (White Other European), 1 (Other White), 12 (White British), 4 (Black or Black British), 2 (White and Black African) and 1 (abstained).
- Religion: The religion of respondees to Pre-publication Consultation was 15 (Christian), 0 (Hindu), 5 (Muslim), 4 (No religion), 1 (Sikh) and 3 (abstained).
- Disability: 1 respondee to Pre-publication Consultation were identified as having a disability, 22 respondees did not have a disability and 5 respondees abstained.

Representation Period

The Representation Period commenced on 1 December 2020 and concluded on 11 January 2021. At the start of the consultation period, a statutory Notice was published in the Express and Star Newspaper and consultation documentation was published on the Council's website and distributed to relevant stakeholders.

The City of Wolverhampton Council did not receive any responses regarding the proposed change to St Michael's CE (A) Primary School during the Representation Period.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

A number of supportive comments regarding the proposal were received during Pre-publication Consultation including:

- "Not only would the base provide a resource for pupils who have SEMH needs, it would also educate existing St Michael's pupils. Education is key to reducing the stigma around SEMH. As someone who works with young people (Post 16) who have SEMH needs, it is clear to see that early intervention is key. Key to helping young people/children to progress both emotionally, socially and academically." (M5 - Parent/Carer of a pupil at St Michael's CE (A) Primary School)
- "It would be very helpful if a base was open at St Michael's CE Primary School for children with special needs and disabilities as I have a son who has additional needs and has just started reception. I would like a base to be open at St Michael's School as i have a daughter already attending and my son will be having an EHCP Plan in place and i would love for him to carry his school life journey at St Michael's

School” (M11 – Parent/Carer of a pupil at St Michael’s CE (A) Primary School)

- “A fantastic idea, having the base on site will make it easier for parents to access. Pupils need more support especially with the current situation of covid.” (M17 - Parent/Carer of a pupil at St Michael’s CE (A) Primary School)
- “Hopefully this new venture will offer early interventions for those in critical need and would hopefully prevent mental health support in later years. Statistics do support this and show that very early interventions helps pupils make great strides in their holistic and educational developments at a much faster rate.” (M19 – NHS Black Country Nurse Practitioner)
- “With the increase in children receiving diagnosis of SEMH needs even younger the city must respond more quickly, offering proactive support rather than reactive. A resource base in the city would be able to provide this.” (M26 – Special Educational Needs Co-ordinator at Wolverhampton secondary school)
- “I would fully support this proposal. It is an area of growing need and particularly so among young people. I believe that pupils with SEMH needs would thrive at St Michael's given their strong and caring ethos.” (M28 – Leader at local secondary School)

There was one concern regarding the proposal identified during Pre-publication Consultation:

“My concern is the School is too small for such a resource base to be suitably implemented and there are not enough areas to provide services which would be needed.” (M24 – Parent/Carer of a pupil at St Michael’s CE (A) Primary School)

Identifying the negative impact.

Is there any negative impact on individuals or groups in the community?

What are the potential or known barriers/impacts for the different ‘equality groups to Consider:

Equality Themes	Positive Impacts	Negative Impacts identified	Solutions (ways in which you could mitigate the negative impact)
Age (including children, young people and older people)	Not applicable to children under 18.	Not applicable to children under 18.	Not applicable to children under 18.
Disability (including carers)	The proposal would ensure the sufficiency of provision in the City, enable a wider range of pupils to benefit from the education and support provided by St Michael’s CE (A) Primary School and address the existing demand issue with pupils leaving	None	Not applicable.

	the City.		
Gender (men and women)	The proposal aims to support the City's primary population with Social, Emotional and Mental Health regardless of gender.	Not applicable.	Not applicable.
Race (including Gypsies & Travellers and Asylum Seekers)	The proposal aims to support the City's primary population with Social, Emotional and Mental Health regardless of race.	Not applicable.	Not applicable.
Religion or belief (including people of no religion or belief)	The proposal aims to support the City's primary population with Social, Emotional and Mental Health regardless of religion or belief.	Not applicable.	Not applicable.
Gender Re-assignment (those that are going or have gone through a transition: male to female or female to male)	The proposal aims to support the City's primary population with Social, Emotional and Mental Health regardless of gender re-assignment.	Not applicable.	Not applicable.
Pregnancy and Maternity	Not applicable.	Not applicable.	Not applicable.
Sexual orientation (including gay, lesbian, bisexual and heterosexual)	The proposal aims to support the City's primary population with Social, Emotional and Mental Health regardless of sexual orientation.	Not applicable.	Not applicable.
Marriage and Civil Partnership	Not applicable.	Not applicable.	Not applicable.
Human Rights	Not applicable.	Not applicable.	Not applicable.

Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure?

What changes or mitigating actions are proposed?

How will you provide this service to ensure it is accessible to all Equality Groups?

No proposed changes necessary.

Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

School Census information relating to the characteristics of pupils in schools in Wolverhampton are monitored on a termly basis along with the undertaking of established School Standards monitoring practices.

Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
Not applicable.	Not applicable.	Not applicable.	Not applicable.

Equality Analysis approved by:

Head of Service: Robert Hart

Date:

Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team:

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Adult Education Traineeship Budget	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Dr Michael Hardacre Education and Skills	
Key decision	Yes	
In forward plan	No	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Adult Education	
Accountable employee	Joanne Keatley	Head of Adult Education
	Tel:	07795424830
	Email	joanne.keatley@wolverhampton.gov.uk
Report to be/has been considered by	Regeneration Leadership Team	2 February 2021

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve that the Council enters the Contract for Services with the Education and Skills Funding Agency (ESFA) to deliver Traineeships.
2. Approve the creation of supplementary revenue expenditure budgets up to £33,000 fully funded from income to support the Traineeships programme.
3. Delegate authority to the Cabinet Member for Education and Skills, in consultation with the Director of Regeneration, to annually approve entering into a Contract for Services with the ESFA for up to a further three years.

Recommendation for noting:

The Cabinet (Resources) Panel is asked to note:

1. This contract is anticipated to generate up to £308,000 of income from the (ESFA) for the delivery of Traineeships.

1.0 Purpose

- 1.1 In October 2020, Adult Education submitted a tender to deliver Traineeships.
- 1.2 The result of the evaluation of the tender is that we are one of the potential contractors that has been successful in procurement and we will therefore be receiving an award. We entered a 10-day standstill period on 19 January 2021.
- 1.3 The total contract allocation we have been awarded for the initial funding period is up to £308,000. The initial funding period is 1 February 2021 to 31 July 2021.
- 1.4 Approval from Cabinet (Resource's) Panel is required to enter into the contract and begin delivery of the Traineeships programme.
- 1.5 Delegated authority to the Cabinet Member for Education and Skills, in consultation with the Director of Regeneration, to annually approve entering into a Contract for Service with the ESFA for up to a further three years.

2.0 Background

- 2.1 The Government wants Traineeships to move young people towards work or an apprenticeship more than ever before. On 8 July 2020, the Chancellor announced a significant expansion of Traineeships as part of his Summer Economic Update. The 'Plan for Jobs' included a commitment to provide thousands of new Traineeships to get young people aged 16 to 24 (up to 25 for those with an Education Health Care Plan) in England into work.
- 2.2 In the 2020-2021 academic year there will be £65 million nationally, of which £11.7 million is for the West Midlands Region. Awards will be made to 38 West Midlands providers, including the Council.
- 2.3 In Wolverhampton Traineeships will contribute to the Generate More Jobs and Learning Opportunities strand of the Relighting the City strategy and to the Youth Offer.
- 2.4 Traineeships offer a flexible intervention which develops young people's employment skills and experience to support their progression into a positive outcome.
- 2.5 The award of the Traineeship contract will enable Adult Education, in partnership with Wolves at Work, to support up to 90 young people through a Traineeship and into a positive outcome such as a job, an apprenticeship or further learning.

3.0 Progress, options, discussion, etc.

- 3.1 To deliver 90 Traineeships in six months will be challenging. To minimise risk and increase opportunity for success a cross council delivery approach has been developed. Teams are meeting regularly and developing systems and approaches to manage the Traineeship programme.
- 3.2 Wolves at Work will lead recruitment of young people; aiming for 20 each month. Wolves at Work will secure a work placement of a minimum of 70 hours, for each Trainee. Adult

Education will provide oversight, management information, reporting, quality assurance and the delivery of employability skills, English, maths and ICT for each Trainee.

- 3.3 Traineeships will be subject to the Office for Standards in Education, Children's Services and Skills (Ofsted) inspection.
- 3.4 The Contract offer for years two, three and four will be based on the outturn for the previous year.
- 3.5 Funding will be paid on a monthly basis against profile and 20% will be withheld until a positive outcome is registered for the Trainee.

4.0 Evaluation of alternative options

- 4.1 An alternative option would be to not accept the Contract for Services for Traineeships. This would mean Adult Education could not deliver Traineeships as a pathway for young people to gain employment. It would mean less opportunity for young people to gain work experience and improve their employability skills.

5.0 Reasons for decision(s)

- 5.1 Approving receipt of the budget and Contract for Services for Traineeships will provide increased opportunities for young people in the city. It will provide valuable work experience and employability skills. It will provide a pathway to employment and form part of the wider offer to young people in Wolverhampton.

6.0 Financial implications

- 6.1 This is a new contract covering delivery of the Traineeship programme. The potential income from ESFA is up to £308,000 for the duration of this contract. There is also a guaranteed payment for over-delivery of number of trainees up to 10%.
- 6.2 It will be paid monthly on profile and be dependent on the recruitment and retention of each Trainee.
- 6.3 Additional resources to co-ordinate the Traineeship programme and to teach on the programme will be required at an estimated cost of £33,000 per annum. It is anticipated these costs will be fully funded from the income from the Traineeship programme. There is a risk, if recruitment of trainees were low, these costs would not be covered by the income from ESFA, in this case the costs will be met from existing revenue budgets in the Adult Education service.
- 6.4 It is intended that Wolves at Work will be involved in the delivery of the traineeship programme, any costs associated for using this service will be met by the income.
- 6.5 The Contract for Services will continue for a further three years. The contract value will be based on the previous year's outturn.

[VS/04022021/J]

7.0 Legal implications

7.1 The Agreement with the Education and Skills Funding Agency will allow the Contract for Services to be provided to the Council. Legal advice will be provided in connection with the Contract.

[TS/01022021/Q]

8.0 Equalities implications

8.1 A full equalities analysis has been conducted and an action plan developed to address weaknesses in the collection of participation, outcomes and satisfaction data for gender re-assignment, sexual orientation and marriage/civil partnerships.

9.0 All other Implications

9.1 The pandemic could impact on recruitment and delivery in the early stages of the contract. Adult Education, in line with Government guidance, is currently not open for face to face provision. All learning has been moved to remote delivery. Finding suitable work placements may also be more difficult in the first months of the contract.

9.2 Alternative strategies are being considered to enable remote delivery of the classroom-based elements. Prioritising work placements that can offer on-site opportunities will be the strategy at the beginning of the contract.

10.0 Schedule of background papers

10.1 None.

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 91 Griffiths Drive, Wolverhampton, West Midlands. WV11 2JW	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jacqueline Sweetman City Assets and Housing	
Key decision	No	
In forward plan	Yes	
Wards affected	Wednesfield North	
Accountable Director	Ross Cook, Director for City Environment	
Originating service	Private Sector Housing	
Accountable employee	Richard Long	Housing Improvement Officer
	Tel	01902 555705
	Email	richard.long@wolverhampton.gov.uk
Report to be/has been considered by	City Housing and Assets Leadership Team	27 January 2021

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Authorise the Director of City Environment to negotiate terms for the acquisition of the property 91 Griffiths Drive, Wolverhampton, WV11 2JW and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the property.
2. Approve expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within the Empty Property Strategy programme.

3. In the event that the property is improved and re-occupied to the satisfaction of the Director of City Environment, authorise withdrawal of the property from the CPO.
4. Following any acquisition, authorise the Director of City Environment to dispose of the property on the open market on condition that the property is refurbished and re-occupied within six or 12 months (as appropriate to the scale of the works).
5. Authorise the Director of Governance to:
 - a) Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry.
 - b) Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, and/or making arrangements for re-housing or relocation of any occupiers.
 - c) Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).
 - d) Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

1.0 Purpose

- 1.1 The purpose of this report is to request the Panel to authorise the acquisition of 91 Griffiths Drive, Wolverhampton, WV11 2JW by negotiation or by the making of a Compulsory Purchase Order (CPO) under Section 17 of Part II of the Housing Act 1985 (CPO). Should it be possible to reach agreement on a mutually acceptable undertaking, agree to the withdrawal of the property from the CPO.
- 1.2 This decision is in support of the Council's Empty Properties Strategy which aims to bring long term empty properties back into use.
- 1.3 The reoccupation of empty properties brings in additional income to the Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.

2.0 Background

- 2.1 The property, highlighted on the attached plan, is an end-terraced property that was reported as empty 19 December 2019.
- 2.2 The property has been listed on Council Tax as awaiting probate since 2017. Contact has been made with family members of the deceased owner and the empty properties team has offered to assist the family in resolving the matter. However, action to resolve probate and to bring forward the occupation of the property has not taken place. In order to deal with the external disrepair of the property, a notice under Section 215 of the Town and Country Planning Act 1990 requiring the estate to remedy the detrimental effect of the property was served. No appeal against the notice was made and the notice has not been fully complied with.
- 2.3 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired, marketed for sale and brought back into residential occupation. The arrangements proposed for the property identified are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the Council, the Council would seek to dispose of the property by tender, auction, or private treaty. The property would be sold with the condition that the property is brought back to a required standard of repair within a specified time limit.

3.0 Evaluation of alternative options

- 3.1 There are three options that the Council could consider:
 - a) Do nothing – the property is likely to remain empty, continue to be a wasted housing resource, continue to have a detrimental effect on the amenity of the area and continue to be a drain on the public purse.
 - b) Empty Dwelling Management Order (EDMO) – An EDMO is considered to be a less draconian option than a compulsory purchase. However, the cost of refurbishment could place a strain on the Council's finances. It may not be possible to recover the

cost of initial refurbishment and subsequent management/ maintenance through the rental income generated over the seven years that a Final EDMO could be in place.

- c) Compulsory Purchase Order (CPO) – The prospect of a CPO often prompts the owner to act leading to the property being refurbished and re-occupied. However, if it is necessary to acquire the property, the proposals for the onward disposal and refurbishment set out at 5.0 of this report ensure that the property is brought back into use.

3.2 Based on the above it is recommended that the option of a Compulsory Purchase Order is progressed.

4.0 Reasons for decision(s)

4.1 The reasons for the decision are:

- a) To ensure that the property provides much needed housing by prompting the owner(s) either act voluntarily or via enforcement through a CPO.
- b) To ensure that the property does not continue to be a drain on public resources.
- c) To ensure that the detrimental effect that the property is having on the area is removed.
- d) To ensure that the property has a positive financial impact on the public purse through additional New Homes Bonus funding.
- e) The proposal to pursue a CPO is the most cost effective in terms of financial and physical resources for the Council.

5.0 Proposals

5.1 Where it is necessary to make a Compulsory Purchase Order and this is subsequently confirmed in favour of the Council, the Council would usually seek to dispose of the property by tender, auction, or private treaty. The property would be sold with the condition that the property is brought back to a required standard of repair within a specified time limit.

5.2 Dependant on suitability and the resources available at the time of the acquisition, the property may be suitable to be brought back into the housing stock of the Council. If this option is considered appropriate, this would be the subject of a further report to Cabinet Resources Panel.

6.0 Financial implications

6.1 In the event of an acquisition, the costs can be met from the approved capital budget for 2020-2021 of £243,000 for the Empty Property Strategy. The subsequent sale of the property would result in a capital receipt ring-fenced to finance future purchases through the Empty Property Strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.

- 6.2 As the Notice under Section 215 of the Town and Country Planning Act 1990 has not been complied with, the additional statutory 7.5% compensation payment will not be applicable in this case.
- 6.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and will result in additional council tax revenue.
[JM/19012021/E]

7.0 Legal implications

- 7.1 Section 17 of the Housing Act 1985 empowers local housing authorities to compulsorily acquire land houses or other properties for the provision of housing accommodation. However, the acquisition must achieve a qualitative or quantitative housing gain. In order to make a Compulsory Purchase Order under this power and achieve successful confirmation, the Council will need to show compliance with the requirements of the relevant statutory provision and circular 06/2004 Compulsory Purchase and the Crichel Down Rules. Where there are objections to a Compulsory Purchase Order the matter may go forward to a public inquiry and specialist Counsel may need to be engaged to present the Council's case.
- 7.2 Article 1 of Protocol 1 of the Human Rights Act 1988 guarantees peaceful enjoyment of possessions and would be engaged by the making of a CPO. However, the contents of this report and the actions recommended are considered to be proportional and compatible with the Human Rights Act 1988, particularly bearing in mind the above checks and balances on the Local Authority's power.
[TS/15012021/Q]

8.0 Equalities implications

- 8.1 Equalities implications have been considered throughout the process and in assessing the outcome. An Equality Analysis has been completed and this does not indicate any adverse implications. Bringing an empty property back into use will improve the visual amenity of the area and can make the area more welcoming to some groups covered by the Equality Act 2010, in doing so this will promote participation in public life.

9.0 All other implications

- 9.1 Long term empty properties can have a detrimental impact on neighbourhood sustainability and cause environmental blight. Bringing the property back into residential use will improve the appearance of the neighbourhood, enhance property conditions, contribute to the regeneration of the City and help to meet the Council's strategic objectives.
- 9.2 Where applicable, Corporate Landlord Estates Team will be required to produce valuations and arrange for the appropriate disposal of the property by auction or private treaty.
- 9.3 Bringing an empty property back into use will improve the health and wellbeing of the new occupants by providing safe and secure housing.

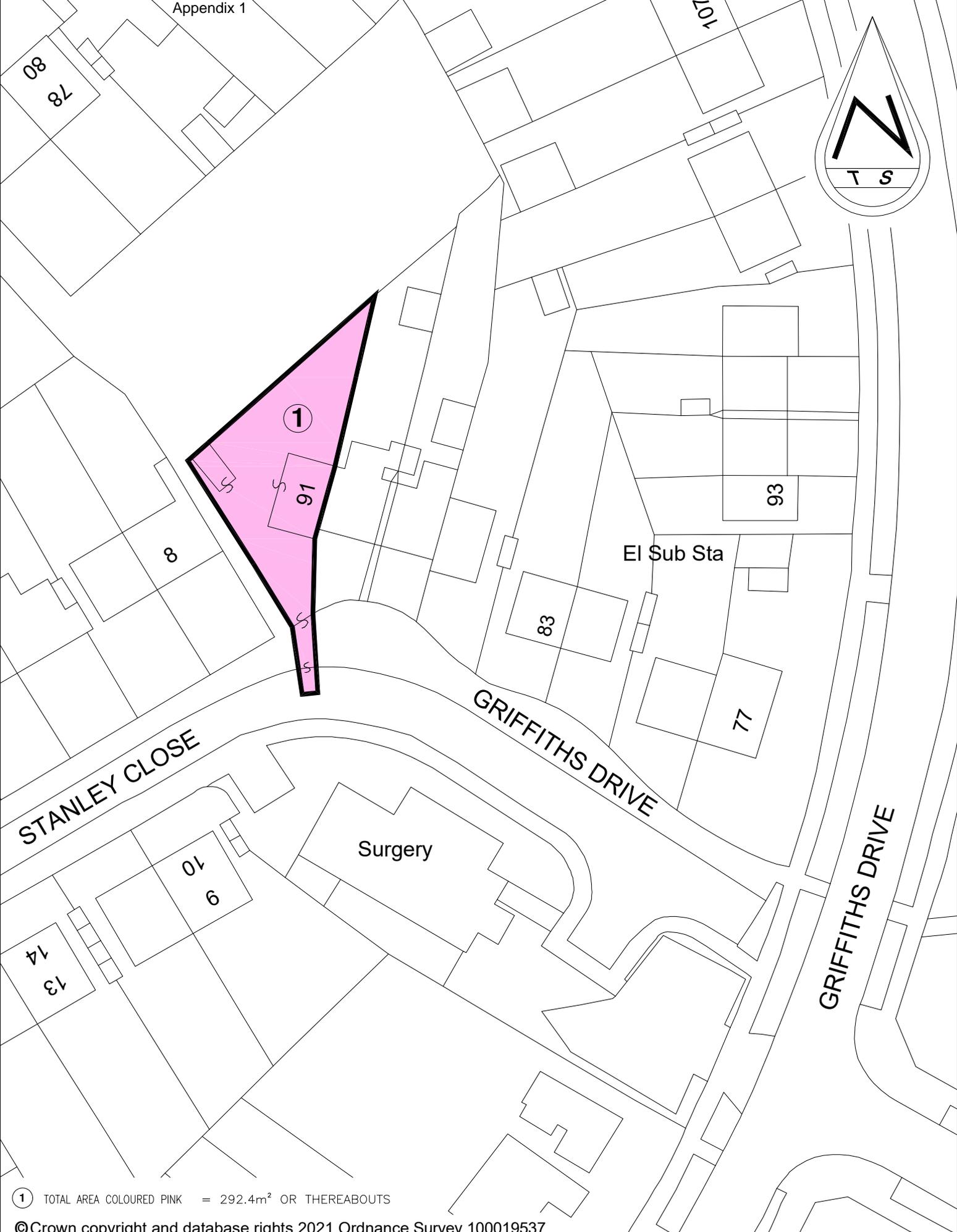
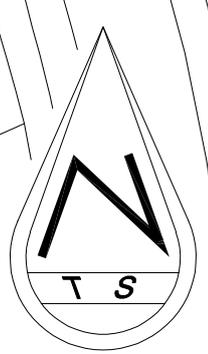
- 9.4 Enabling occupation and removing the detrimental effect of the property will reduce the anxiety associated with crime and the fear of crime that living adjacent to an empty property can cause.

10.0 Schedule of background papers

- 10.1 An Action Plan to Deliver the Empty Property Strategy 11 January 2006;
- 10.2 Private Sector Empty Property Strategy 2019-2024;
- 10.3 The Council's Annual Housing Supply Statement, 31 March 2020.

11.0 Appendices

- 11.1 Appendix 1 – Site plan
- 11.2 Appendix 2 - Photographs



① TOTAL AREA COLOURED PINK = 292.4m² OR THEREABOUTS

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date	January 2021
scales	1:500
drawn by	AJP
dwg. no.	\\Griffiths Drive 91.dwg

THE MAP REFERRED TO IN
 THE WOLVERHAMPTON CITY COUNCIL
 (91 Griffiths Drive)
 COMPULSORY PURCHASE ORDER 2021

City of Wolverhampton Council
 Strategic Director – Place
 Civic Centre, St. Peter’s Square, Wolverhampton
 Tel. (01902) 556556

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 February 2021
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Report title	Schedule of Individual Executive Decision Notices	
Decision designation	AMBER	
Cabinet member with lead responsibility	All	
Key decision	No	
In forward plan	No	
Wards affected	All wards	
Accountable director	Mark Taylor, Deputy Chief Executive	
Originating service	Democratic Services	
Accountable employee	Kirsty Tuffin Tel Email	Democratic Services Officer 01902 552873 Kirsty.tuffin@wolverhampton.gov.uk
Report to be/has been considered by	N/A	

Recommendation for noting:

The Cabinet (Resources) Panel is asked to note:

1. The summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees.

Schedule of Individual Executive Decision Notices

Part 1 – Open Items

City Environment

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Director of City Environment	11 December 2020	Amanda Millard 01902 551799
Title and summary of decision			
Transportation Network – Miscellaneous Traffic Regulation Orders Section 278 and 38 Agreements			
<ol style="list-style-type: none"> 1. Approved the recommended action to implement waiting and loading restrictions to parts of Mill Street; Hickman Road (Plan T4/4339A). 2. Approved the recommended action to overrule an objection to waiting and loading restrictions to parts of Wolverhampton Road; New Cross Avenue; Graiseley Lane; in response to comments received during public consultation and implement as shown on Plan T4/4360B. 3. Approved the recommended action to implement waiting and loading restrictions to parts of St Andrews Close; Craddock Street; Hordern Road; Hunter Street (Plan T4/4354E). 4. Approved the recommended action to implement waiting and loading restrictions to parts of Stafford Road (Plan T4/4362). 5. Approved the recommended action to implement a one-way traffic to part of Stafford Road (Plan T4/4361). 6. Approved the recommended action to implement waiting and loading restrictions to parts of Donnington Grove, Silverstone Drive, Oulton Drive; Knockhill Gardens; Mercury Drive; Akron Drive; Cadwell Crescent; Hermes Close; Ranger Drive; Goodwood Drive; Croft Gardens; Snetterton Gardens; Mayflower Gardens; Resolute Drive; Rockingham Close; Ripon Road; Bushbury Lane; Shaw Close; Daytona Grove; Mallory Road; Indianapolis Gardens (Plan T4/4310F and T4/4311D). 7. Approved the recommended action to implement a 20mph speed limit to parts of Hermes Close; Indianapolis Gardens; Daytona Grove; Mallory Road; Brands Hatch Gardens; Seiberling Drive; Le Mans Gardens; Silverstone Drive; Donnington Grove; Goodwood Drive; Rockingham Close; Oulton Drive; Knockhill Gardens; Mercury Drive; Cadwell Crescent; Columbia Crescent; Thrupton Avenue; Snetterton Gardens; Resolute Drive; Reliance Place; Croft Gardens; Ranger Drive; Ohio Gardens; Macon Grove; Enterprise Crescent; Mayflower Gardens; Rainbow Avenue; Europa Gardens; Akron Drive (Plan T3/1262B) 			

8. Approved the recommended action to implement a prohibition of driving to part of Hermes Close (Plan T4/4357).
9. Approved the proposed revocation (in part) of existing Traffic Regulation Orders (TROs) in Wolverhampton Road; New Cross Avenue; Graiseley Lane; St Andrews Close; Craddock Street; Hordern Road; Hunter Street; Ripon Road; where necessary to allow the implementation of the new TROs.
10. Authorised the Director of Governance to implement the relevant traffic regulation orders.

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Director of City Environment	8 January 2021	Ric Bravery 01902 552177

Title and summary of decision

Tiny Forests

1. Approved the Council entering into Agreements and Licenses to permit two Tiny Forests to be planted.
2. Approved provision of match funding of £12,500 for one scheme, subject to approval of the budget by Cabinet (Resources) Panel.

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Director of Public Health	27 January 2021	Peter Holmes 01902 55 6175

Title and summary of decision

Leisure Management Software

1. Approved the award of a contract for Leisure Management Software following a direct award against CCS Framework RM3821 to Bramble Hub Limited of 9E Albert Embankment, London SE1 7SP. This will be for an initial term of two years with the option to extend for an additional one year with a contract value of £234,000.

Education

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Dr Michael Hardacre	Director of Children's and Adult Services	9 December 2020	Sarah McElduff 07989854448

Title and summary of decision

Instrument of Government - Loxdale Primary School

1. Approved the proposed Instrument of Government for Loxdale Primary School, Wolverhampton.

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Dr Michael Hardacre	Director of Children's and Adult Services	9 December 2020	Sarah McElduff 07989854448
Title and summary of decision			
Instrument of Government - Springdale Primary School			
1. Approved the proposed Instrument of Government for Springdale Primary School, Wolverhampton.			
Decision maker			
Councillor Dr Michael Hardacre	Director of Children's and Adult Services	9 December 2020	Sarah McElduff 07989854448
Title and summary of decision			
Instrument of Government - Westacre Primary School			
1. Approved the proposed Instrument of Government for Westacre Primary School, Wolverhampton.			
Decision maker			
Councillor Dr Michael Hardacre	Director of Children's and Adult Services	9 December 2020	Sarah McElduff 07989854448
Title and summary of decision			
Instrument of Government - Fallings Park Primary			
1. Approved the proposed Instrument of Government for Fallings Park Primary School, Wolverhampton.			

Joint Cabinet Member Approvals

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans Councillor Louise Miles	Director of City Environment Director of Finance	21 December 2020	Heather Clark 01902 555614
Title and summary of decision			
Black Country Blue Network 2			
1. Approved acceptance of the funding from the Ministry of Housing Communities and Local Government.			
2. Approved the Council accepting and entering into grant funding agreements with the Ministry of Housing communities and Local Government.			
3. Approved the Council entering into legal grant funding agreements with delivery partners.			

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans Councillor Louise Miles	Director of Finance and Adult Services Director of City Environment	20 January 2021	Heather Clark 01902 555614
Title and summary of decision			
Black Country Blue Network 2 Revenue and Capital Budget			
1. Agreed to create the necessary supplementary revenue and capital budgets for the Black Country Blue Network 2 project.			

Part 2 – Exempt Items

Housing

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman	Deputy Chief Executive	21 December 2020	Julia Nock 01902 550316
Title and summary of decision			
Land and Property Transactions - IEDN 051			
<p>1. Approved the completion of the transactions listed below:</p> <ul style="list-style-type: none"> • Variation to existing agreement – Lease of Unit 1 i10, Greene King (Sunbeam). • Variation to existing agreement – Lease of floor 1 i10, Tarmac. 			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman	Deputy Chief Executive	19 January 2021	Karen James 01902 55 1414
Title and summary of decision			
Shared Ownership			
<p>1. Approved the sale of the initial sales equity of the shared ownership property at the site known as Sweet Briary, Ettingshall, as detailed in the body of the report.</p>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman	Deputy Chief Executive	18 January 2021	Kevin Kingston 01902 552350
Title and summary of decision			
Shared Ownership Properties at Vicarage View			
<p>1. Approved the sale of the initial sales equity of the two shared ownership properties at the site known as Vicarage View, Wednesfield, as detailed in the body of the report.</p>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman	Deputy Chief Executive	26 January 2021	Kevin Kingston 01902 552350
Title and summary of decision			
Shared Ownership Properties Leasowes Farm and The Glade			
<p>1. Approved the sale of the initial sales equity of two shared ownership properties at the sites known as Leasowes Farm and The Glade, Merry Hill, as detailed in the body of the report.</p>			

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman	Deputy Chief Executive	18 January 2021	Julia Nock 01902 550316
Title and summary of decision			
Land and Property Transactions - IEDN 050			
1. Approved the completion of the transactions listed below: <ul style="list-style-type: none">• Land adjoining 1 Lowe Street - Minor disposal• Land to the rear of 93 Glaisdale Gardens – Minor disposal• Land at Tremont Street – Appropriation to HRA• Leasing of Land at Well Lane – Long lease			

Education

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Dr Michael Hardacre	Director of Finance Director of Children's and Adult Services	27 January 2021	Dave Kirby 01902 554152
Title and summary of decision			
Secondary School Expansion Programme			
1. Approved the Council entering into a Grant Agreement with St Francis and St Clare Catholic Multi Academy Company in respect of St Edmund's Catholic Academy.			
2. Approved the virement from the Secondary School Expansion Programme budget to the St Edmund's Catholic Academy Project to fund the expansion of the school so to cater for 200 pupils per year group.			
3. Approved the awarding of a grant to St Edmund's Catholic Academy to fund the school expansion.			

City Environment

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Director of City Environment	8 January 2021	Sean Hynes 01902 554950
Title and summary of decision			
Parking, Bus Lane and Highways Enforcement			
<p>1. Approved the award of the contract for the provision of Parking, Bus Lane and Highways Enforcement to Marston Holdings Limited of Rutland House, 8th Floor, 148 Edmund Street, Birmingham, B3 2JR for a duration of five years, with an option to extend for two years, for an annual value of £652,197 and a total contract value of £4,565,379.</p>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Director of City Environment	18 January 2021	Steve Woodward 01902 554260
Title and summary of decision			
Digital Autopsies			
<p>1. Approved that the City of Wolverhampton Council should continue to fund the provision of digital autopsies for Wolverhampton residents in line with other Black Country Councils who also support the arrangement. Dudley, Sandwell and Wolverhampton.</p> <p>2. Approved maintaining the Council's commitment to digital autopsy as a mode of pathology and sign up to a contract with iGene</p> <p>3. Agreed that to extend the Digital Autopsy (DA) agreement to run co-terminus with the lease iGene have on the facility in Sandwell which ends on the 5 January 2025</p> <p>4. Noted that, the Association of Black Country Authorities agreed a proposal for an independent review of pathology and mortuary services across the region and this is now progressing. The purpose of the review is to look at current provision and identify whether there was scope for further collaborative working that might yield efficiencies and improved service delivery. Such an arrangement could provide the opportunity for more cost-effective digital autopsies across the region.</p>			

Joint Cabinet Member Approvals

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Stephen Simkins Councillor Louise Miles	Director of Regeneration Director of Finance	8 January 2021	Harold Mututa 07392121920
Title and summary of decision			
Black Country AIM for GOLD Payment of grants to SMEs			
1. Approved payments totalling £54,775 as detailed at section 5.3			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Jacqueline Sweetman Councillor Louise Miles	Deputy Chief Executive Director of Finance	18 January 2021	Luke Dove 0190255 7121
Title and summary of decision			
Corporate Asset Management Fund - Approval of Projects 2020/21			
1. Approved the allocation of £293,000 from the Corporate Contingency to individual projects within Corporate Asset Management to facilitate the programme of works detailed in Table 1 to include fourteen new projects.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Stephen Simkins Councillor Louise Miles	Director of Regeneration Director of Finance	15 January 2021	Harold Mututa 07392121920
Title and summary of decision			
Black Country AIM for GOLD Payment of grants to SMEs			
1. Approved payments totalling £52,600 as detailed at section 5.3.			

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